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EDITORIAL

DEVELOPMENTAL DEMOCRACY cannot thrive under increasing atmospheric pressures of citizen alienation. Promotion of healthy citizen-administration relationships is essential to prevent devaluation of standards due to persistent bureaucratic malaise and citizen discontent. It is also necessary to facilitate fuller participation of citizens (particularly the weak and the less privileged ones) in securing desired results from developmental programmes. The institution of Ombudsman has an important role to discharge as protector of citizen against the unseemly administrative aberrations and to uphold his dignity and rights in democracy. It has come to be considered as a powerful instrument to enforce administrative accountability.

In the opening article, Donald C. Rowat, an authority on the subject, traces evolution of state ombudsmen in post-Independence India, and reviews their functioning on the basis of data collected by him from primary sources. His approach is both descriptive and analytical. He gives an elaborate treatment to functioning of state ombudsman in Bihar, Maharashtra and Uttar Pradesh and refers briefly to what he calls "complaint plans" that existed in other Indian states.

Rowat favourably comments on the effectiveness of ombudsman in the three states by drawing comparison with state ombudsman plans in other countries—both developed and developing. He points out the defects of Indian state obmudsman plans and suggests remedial measures, such as separation of treatment of allegation and grievances, complaints, cutting delays in investigation, simplification of procedures, enhancing easier accessibility of common man, etc. He also suggests briefly his proposals for overhauling the grievance-handling mechanisms in these states. However, as observed by Walter Gellhorn, ultimately "confidence in grievance-handler's objectivity may largely determine the acceptability of the final results" for a live public confidence in this regard cannot be sustained unless the ombudsmen are able, to borrow Charles Bacons' expression, to "avoid not only the fault but also the suspicion".

Prolonged, blind and blatant disregard to ecology and environment has now forced man to realise how lacking in farsightedness he had been in constantly pushing himself to the brink of catastrophe.

Perhaps man's cultural and religious moorings permeating his behaviour may shed some light on it. O.P. Dwivedi *et al* have, therefore, taken upon themselves to probe deeper into the Hindu concept of ecology as enshrined in Sanskrit scriptures in a bid to assess its relationship with the present environmental crisis.

In their broad spectrum of coverage, they discuss Hindu view of creation; sift concept of ecology and pollution in the mass of ancient texts; indicate the nature of protections provided, attendant duties and consequences of violation thereof; show the decay in ideals that had set in and the environmental crisis that followed. Bringing to the fore the need for establishing environmental ethics to extricate ourselves from the existing morass, they stress enhancing the awareness of responsibilities on coming generations to bolster up the deep-rooted values in this regard. The authors make out a case on religious and philosophical basis for the need to rededicate to the basic concerns of conservation and environmental protection and emphasise the need for taking care of the problems of environmental protection while making projects and plans of social and economic development.

Shifting our focus from the broad problems of environment in the next article, we find M.J.K. Thavaraj discussing the present status in India of performance budgeting.

In administration—private or public—budget is a financial statement of proposed programme of activities generally with a time reference of the coming year. Since in the traditional budgeting system, emphasis was mainly on allocations, it was found inadequate to meet developmental challenges. Scarcity of resources got further complicated due to availability of a host of alternative uses and compulsions of prioritisation. The system of performance budgeting was, therefore, evolved as a suitable tool and was endorsed by the Hoover Commission of the USA. In the context of planning and development as well as growing public expenditure, the Estimates Committee of our Parliament in 1958 underscored the importance of performance budgeting approach. But any substantial move in this direction was initiated only after 1965.

M.J.K. Thavaraj, in his article, traces the evolution of performance budgeting, highlights the thinking behind this innovation and provides an evaluation of its implementation. In his treatment of the subject, Thavaraj points out the weaknesses in the operationalisation of performance budgeting in India at the Union, state and local

government levels—mostly the latter two have so far refused to heed the call to shed the old, and now increasingly irrelevant budgeting system: the last level lacks even the awareness about performance budgeting. The adoption of performance budgeting at the state and local government levels is a formidable task. But if implementation of this new budget technology is allowed to localise only at the horizontal level at the centre, hardly any purpose would be served from the angle of developmental planning. Imparting skills in this regard to the functionaries doubtlessly is essential but then providing congenial environment for its operationalisation, also stressed by Thavaraj, is no less important. Besides expanding coverage, it must also be probed through evaluation studies as to what qualitative changes in financial management and decision-making process have flowed in after adoption of performance budgeting.

Whether the budget is traditional or modern and based on more scientific principles, perhaps the budgetary process will always carry with it certain irrational elements. Such is probably the human nature! Frank Marutollo, himself a budget analyst, explains this apparently contradictory statement phenomenologically laying bare its dynamics as witnessed in Marine Corps (headquarters), a US federal agency.

Marutollo shows how there cannot be any 'fixity' or 'finality' in the budgetary process due to the "iron law of deadline", compulsions to assimilate changes very fast in view of changed programme data, new guidelines coming very late, often culminating in situations like: "The fiscal year begins today . . . we've got to start spending this year's money." He discusses this irrationality from organisational perspective as reflected from interactions between different 'mini-worlds' in a budgetary organisation, most of which, of course, are coordinational in nature. Besides, he also points out the role of uncontrollable pure error in the budgetary process which also sustains irrationality. Though the author refrains from being prescriptive, he presents useful experience-based insights into the realities of the processes of budget formulation. This is probably an important area for exploration in the Indian context. So much for budget and its processes.

Agricultural production, despite manifold uncertainties, has been crucial to national economy all along. It is, in fact, assuming greater importance with mounting population pressure. Irrigation, among other inputs, is a major factor in not only stabilising but also raising

agricultural production. Choosing administrative aspects of irrigation. T.K. Jayaraman discusses problems of coordination between a project organisation and different levels of government departments and agencies for different categories of projects. He furnishes useful information about the practice followed in Indonesia regarding irrigation management. To relate obviously this knowledge to Indian scene, he discusses the structure and functioning of Command Area Development Agencies (CADA) in several Indian states generally and with a specific reference to Gujarat. He concludes with making some practical suggestions, which perhaps can be tried with possible advantage.

C.P. Barthwal, in the next article, elaborates on the system of local government in the USSR which arouses special interest due to political, social, geographical, cultural, and ethnic considerations. Relationships between different local government institutions in that country are based on the principle of 'democratic centralism'. Barthwal analyses various organisational (including election and composition) and jurisdictional and competence aspects of various units that constitute the complicated network of local government institutions in Russia. He also discusses briefly how these institutions are subjected to legislative, executive and financial control not excluding, of course, the overall control of the Communist Party of Soviet Union (CPSU).

E.A. Ikoiwak's is a chronological study of the Nigerian Civil Service from 1886 till recent years. He analyses significant structural and attitudinal changes that the civil service has undergone during the last nine decades or so, covering colonial (British) as well as the post-Independence (1960 onwards) era in his sweep, classified into significant periods. Emphasising the role of various committees/commissions in influencing the changes that followed, the author provides an informative historical analysis about the emergence of today's Nigerian civil service. The article has considerable relevance from the viewpoint of comparative study of civil service systems.

The *IJPA* has always welcomed informed debate on substantial issues raised by authors in their contributions. Such a debate often sheds new light on additional issues and helps to identify new aspects for further discussion. This number of the Journal carries Harshad R. Trivedi's critique on aspects of accountability in public administration as have been put forth by J.D. Sethi in his article published in the last special number on the theme. Trivedi raises points of theoretical and conceptual import about administrative accountability

with their micro and macro applications and linkage with corruption and malfunctioning in administration.

Andrew Kakabadse attempts to bridge the vital gap between theorisation and actual implanting of planned change. He breaks up the process into seven steps that have to be followed by a professional manager in accordance with the logic of management science. He also illustrates each step with an example. Exact replication of his model in all situations in public administration would neither be feasible nor advisable. But it would be of interest to our worthy readers to know about 'politics' of planned change presented in the characteristic tone and tenor of an author from the sister discipline of management science. He arrives at the conclusion: "Well conducted change is a highly political process. It involves influencing others to your view, adjusting your position to accommodate, as far as possible, the views of others, so that all progress from one step to the next." This is of crucial and overriding importance to the functioning of public administration.

Max Weber's theory on bureaucracy is the most acceptable, despite the bulge of intervening decades, and yet the most criticised one. Though seemingly paradoxical, it in fact indicates the unrelenting compulsion for unsurpassed academic recognition of Weber's contribution. Confirming this fact implicitly, Mustafa Chowdhury is trying to answer in his article some of the questions raised by eminent writers against the validity of Weber's ideal type of bureaucracy.

He starts off with discussion on Weber's theory—his focus is on charismatic authority and justification in favour of bureaucratic organisation. Chowdhury then surveys analytically the criticism levelled against Weber by well-known writers—Bernard. Roothlisberger and Dickson, Merton, and Crozier—on the grounds that: (i) his theory is ignorant of informal, irrational and dysfunctional bureaucratic behaviour; and (ii) structural characteristics of this theory itself breeds inconsistencies. He concludes by providing a strong defence of Weber's theory on the valid plea that such criticisms must be viewed in the light of circumstantial and contextual changes and upholds the significance of his contribution echoing the views of Parson and Barber.

Another article on the broad theme of bureaucracy in this issue is on organisational and structural aspects of the civil service of Bangladesh. Syed Giasuddin Ahmed, besides highlighting characteristic features and internal conflicts in the structure that it inherited,

discusses the efforts at reform that followed the liberation of the country till the emergence in 1979 of its new administrative structure. Before giving his assessment of the new structure, he also analyses the question of legal status of civil servants in Bangladesh in the light of provisions in the Constitution as well as service rules. An analysis of the organisational and structural aspects of the Bangladesh administrative system in its fast changing context throws up many issues for further academic exploration.

—Editor

The State Ombudsmen in India

Donald C. Rowat*

OUTSIDE INDIA, it is not widely known that India has the most populous ombudsman jurisdictions in the world. India's three most populous states have had ombudsman plans operating for some years, and all the three have populations of over 60 million—larger than the population of either France or the United Kingdom, the most populous countries having a national ombudsman plan. One of these states, Uttar Pradesh. has a population of nearly 111 million. The reason these plans are so little known is that very little has been written about them, even by Indian scholars. partly because they were mainly conceived as a device to help cure India's problem of corruption, and in that respect have been widely regarded as a failure.[1]

Some of the proposals for a so-called ombudsman plan at the national level and some of the schemes created at the state level in India have departed far from the original concept of the ombudsman institution and therefore cannot be regarded as genuine ombudsman plans. Nevertheless, five of the existing state-level plans do have the basic characteristics of the ombudsman institution. and the three that have been operating for some years have had considerable success at redressing grievances of the citizens against the administration. It is, therefore, important for supporters of the ombudsman concept in India to study these state plans and to make proposals for reforming them into much more effective institutions. Other Indian states may then be encouraged to adopt similar revised plans, and a successful ombudsman plan may subsequently be devised for the national level government.

It is significant that, among the countries of the world that have adopted the ombudsman institution. the decentralised federations have been among the leaders. It has been adopted by one or more of the states

[1]See, for example, S.N. Jain, "The Ombudsman Idea in India", in Gerald E. Caiden, ed., *International Handbook of the Ombudsman: Country Surveys,* Westport, Ct., Greenwood Press, 1983, pp. 317-320.

in seven federations, and to date has also been adopted by two of them at the national level. Australia has the institution in all of its states and also at the centre. Canada has it in nine of its ten provinces, the United States has ombudsmen in four of its states and Switzerland and West Germany have an ombudsman in one of their states. Austria is unusual in that the ombudsman scheme was instituted at the national level, with provision for the states to opt into the scheme. Two of the largest states, Vienna and Salzburg, have done so from the beginning.

‾ The fact that the world's federations have been leaders in adopting the institution speaks well for this form of government. It shows that decentralised federations have a deep concern for the welfare and rights of their citizens. Also, federations have the great advantage, especially in populous countries, that they can experiment with a new governmental institution in one or more of the states first, without risking its failure for the whole population. If it succeeds, it can then be suitably revised for adoption by other states and at the national level. This is what has transpired in India, where the plan was first proposed at the centre but has not yet been adopted. A study of the existing state plans in India is, therefore, important for the lessons that may be learned about improving plans elsewhere, especially in developing countries where few plans have been notably successful.

So far, nine of India's twenty-two states have adopted some variation of the ombudsman system; but some of them are far removed from the original concept, and some have even since been abandoned. The schemes in Gujarat and Rajasthan are primarily directed at corruption, while the one in Orissa was never implemented and the one in Karnataka was only in effect for a short period. Rajasthan's scheme has been heavily influenced by the ombudsman institution, but it deals only with allegations of corruption. According to the annual survey of the International Ombudsman Institute for 1982, it does not qualify as a genuine ombudsman institution, which is designed to redress personal grievances. An ombudsman system was approved by the legislature in Madhya Pradesh in April 1981 and more recently in Himachal Pradesh, and these schemes have now gone into effect. Also, in the state of Andhra Pradesh, an ombudsman bill was introduced in the legislature in March 1981, but had not yet been approved at the time of writing.

The following tabulation gives some summary information about the five existing ombudsman plans and the states in which they are found :

	Maharashtra	Bihar	Uttar Pradesh	Madhya Pradesh	Himachal Pradesh
Population (millions, 1981)	62.7	69.8	110.9	52.1	4.2
Capital	Bombay	Patna	Lucknow	Bhopal	Simla
Year Plan Began	1972	1973	1977	1982	—
Complaints Received, 1980-81	2,079	2,753	1,675	—	1983

It will be noted that only three genuine ombudsman plans have been in operation for some time—those in the three most populous states, Maharashtra (since October 1972), Bihar (since May 1973) and Uttar Pradesh (since September 1977).   I will, therefore, discuss fully only these three state plans.   I will also deal briefly with the scheme in Rajasthan, which has been in operation since 1973, since it has been so heavily influenced by the ombudsman institution.

<center>ORIGINS</center>

It is important to realise that India's state plans had their origin in proposals and attempts to solve the problem of political and administrative corruption. In 1964, an influential investigating committee, the Santhanam Committee on Political Corruption, had made proposals for special institutions at the national and state levels to deal with allegations of corruption. Before that time, special agencies had been set up at both the national and state levels, usually called vigilance departments or commissions, to investigate corruption.   The problem with these agencies, however, is that they are not independent of the administration and come under the thumb of the government.   One of the main proposals of the Santhanam Committee was that these agencies should be replaced by new ones which were entirely independent of the government.   Since there was so much concern about political as well as administrative corruption, it was thought that these agencies should include investigating allegations of corruption against elected officials, such as ministers and mayors, and even members of the legislatures.

A second investigation body, the Administrative Reforms Commission, was even more influential.   The ombudsman concept was being widely discussed among the developed democracies of the world just at the time that this commission was completing its studies, and it was strongly influenced by the ombudsman idea.   In a 1966 interim report[2], it recommended a comprehensive scheme modelled on the ombudsman institution but designed to deal not only with citizens' grievances but also the problem of political and administrative corruption, through receiving allegations from the public against ministers and officials.   It was also designed to include both the central and state levels of government.   The commission produced a model legislative bill which was later widely used and copied for later proposals and bills at both the national and state levels.

The ombudsman idea was also influential at the state level.   As early as 1963, for instance, an ombudsman-like institution had been proposed by an official commission in the state of Rajasthan.   Several other states set

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[2]Government of India, Administrative Reforms Commission, *Interim   Report on Problems of Redress of Citizens' Grievances*; New Delhi, 1966, pp. 18 plus an annexure (draft bill).

up vigilance commissions to recieve and investigate allegations of corruption, but these commissions were appointed by and responsible to the executive. Early in 1966, however, the Punjab Administrative Reforms Commission recommended that "in order to increase the utility of the vigilance commission, it should be made independent of government or ministerial influence".[3]

The proposal of the Santhanam Committee for the national level was to create a central vigilance commission that would be headed by a single commissioner and composed of three directorates : vigilance, central police, and general complaints and redress. The commissioner would be appointed for a six-year term and would have the same independence as the auditor general. His functions and powers would be somewhat like those of New Zealand's ombudsman, except that he would also investigate allegations of corruption and could initiate a prosecution against an official if he were not satisfied with the action taken by the government on his recommendation.[4]

The central government, however, accepted only part of the committee's recommendations. It created a vigilance commission but did not make it independent of executive influence, and it rejected the proposal for a directorate of general complaints and redress. Instead, in January 1966, it appointed a Commissioner for Public Grievances in the Ministry of Home Affairs to supervise the handling of grievances and the work of new complaints officers in the ministries and departments, and to receive and review grievances himself. Till the end of March 1967, he had received about 1,400 complaints, and had obtained remedial action on many of them. The commissioner and the departmental officers, however, were part of the administration itself. After the Administrative Reforms Commission had proposed its new scheme for independent, ombudsman-like complaint officers to handle both allegations of corruption and personal grievances, his office was abolished in July 1967. Evidence of the importance the government attached to the commission's recommendations is that the first chairman, Morarji Desai became deputy prime minister a few months after the Commission's interim report was issued.

The Commission's proposal was unusual in that it would include both levels of government and at the same time divide the top from the lower levels of administration. There would be a sort of super-ombudsman (the Lokpal) with jurisdiction over both federal and state ministers and secretaries, and also a lower order of ombudsman (the Lokayukta), one for the federal government and one for each state, to cover the levels below the

[3]"Digest of Reports", *Indian Journal of Public Administration*, Vol. 12, April-June, 1966, p. 20; for additional commentary on the Vigilance Commission, see earlier issues of the Journal (*e.g.*, Vol. 11, 1965, No. 4)

[4]For details of this proposal, see J.B. Monteiro, "Comment", *Public Law*, Summer 1965, pp. 81-88, see also R. K. Swamy, "The Case for a Permanent Tribunal of Inquiry", *Modern Law Review*, April 1964, pp. 257-268

federal and state secretaries. These officers would all be appointed by the President of India. They would be answerable only to him and to the federal or state legislatures, and would be independent of the federal and state cabinets. The Lokpal would be appointed on the advice of the prime minister, but only after he had consulted the chief justice and the leader of the opposition. A state Lokayukta would be similarly appointed on the advice of a state's chief minister.

The Commission claimed that, though a constitutional revision would be desirable, the scheme could begin without such a revision. To an outside observer, it is difficult to see how such a scheme could be effected in a federal system without a constitutional revision. It is also difficult to see how the super-ombudsman could be made answerable to both the federal and state legislatures, and how he and the sub-ombudsmen would be able to sort out their respective functions in a hierarchical system of administration for which ministers at the top are held responsible. However, the proposal represents an interesting attempt to divide up the heavy work of an ombudsman in a huge federal country.[5]

Some of the states soon let it be known that they feared the supervision by the central government that such a scheme implied. As a result of their opposition, the central government accepted the proposal only for the federal level, and in 1968 introduced a bill to implement this part of the proposal. The bill provided for a Lokpal and one or more Lokayuktas whose work he would coordinate but who would decide cases at a lower level on their own, an interesting arrangement designed to handle the heavy case load in a populous country more efficiently. By autumn 1970, the bill was passed by the lower house with amendments and was before the upper house when Parliament was dissolved. The amended bill was reintroduced in August 1971, but the government lost its enthusiasm for it and let it lapse.

No further action was taken on a national scheme until the Janata government introduced an entirely new lokpal bill in July 1977. This bill, however, departed far from the ombudsman concept. It was for investigating allegations of misconduct and corruption against ministers and members of parliament rather than individual grievances against the administration. In any case, the new Congress(I) government under Mrs. Indira Gandhi was not in favour of the bill, and it too was allowed to lapse.

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[5]For further commentary on this proposal, see M.P. Jain, *Lokpal : Ombudsman in India*, Bombay and New Delhi, Academic Books, 1970; my "The Proposed Ombudsman System for India", *Journal of Constitutional and Parliamentary Studies*, Vol. V. No. 3, July-September, 1971, pp. 285-294: and my *The Ombudsman Plan*, Toronto, McClelland and Stewart, 1973, pp. 134-136, and 155-162. *The Ombudsman Plan* is being revised, and the section on India will be updated.

THE STATE OMBUDSMAN PLANS

Although no ombudsman-like scheme was adopted at the national level, the states were heavily influenced by the national proposals and in particular the proposal and draft bill of the Administrative Reforms Commission. The earliest state ombudsman plans to be adopted were in Maharashtra in 1972 and Bihar in 1973, while the plan in Uttar Pradesh was not instituted until 1977. Since the one in Maharashtra is the oldest and most successful, and provided a pattern for the others, it will be dealt with first and in the most detailed manner.

Maharashtra

Following the report of the Administrative Reforms Commission in 1966, Maharashtra's Administrative Reorganisation Committee in 1968 proposed an independent complaints-handling authority for the state, and such an authority was established by an act passed in 1971, the Lokayukta and Upalokayuktas Act. The Lokayukta (ombudman) has exclusive power to look into complaints against state ministers, elected heads of local and district governments, permanent secretaries and certain senior officials, while one or more Upalokayuktas (associate ombudsmen) are to deal with complaints against other public officials. With this slight difference, the powers and functions of these functionaries are almost the same as those proposed for the Lokpal and Lokayuktas under the federal government's bill of 1969.

It should be noted that, like the Reform Commission's proposal and the bills for the centre, complaints were to include allegations of corruption as well as personal grievances. Under the Act, the term 'grievance' means "a claim by a person that he sustained injustice or undue hardship in consequence of maladministration", while the word 'allegation' means affirmation in relation to a public servant that he:

1. has abused his position as such to obtain any gain or favour to himself or to any other person or to cause any undue harm or hardship to any other person;
2. was actuated in the discharge of his functions by personal interest or improper or corrupt motives; or
3. is guilty of corruption, or lack of integrity in his capacity as a public servant.

Much as in other ombudsman acts, 'maladministration' means action taken in the exercise of administrative functions in any case:

1. where such action or the administrative procedure or practice governing such action is unreasonable, unjust, oppressive or improperly

discriminatory; or

2. Where there has been negligence or undue delay in taking such action, or the administrative procedure or practice governing such action involves undue delay.

The Lokayukta is to be appointed by the state governor after consultation with the chief justice of the high court and the leader of the opposition in the legislative assembly, and his allowances and other service conditions are to be similar to those of the chief justice of the high court. The Upalokayuktas are to be appointed by the governor after consultation with the Lokayukta. In order to ensure the independent and impartial performance of their duties, the Lokayukta and Upalokayuktas have been debarred from being a member of Parliament or of a state legislature, or from holding an office of trust or profit, keeping any connection with a political party, or carrying on any business or profession. On ceasing to hold office, they are ineligible for further employment by the government of Maharashtra or any body under their jurisdiction.

The Act lays down the procedure for filing complaints and for investigations and provides that a person making a false or malicious complaint is liable to imprisonment and fine. After receiving a complaint, the Lokayukta or an Upalokayukta may make a preliminary enquiry and then conduct an investigation, or they may initiate an investigation on their own. Every such investigation is to be conducted in private, except that the Lokayukta or an Upalokayukta may decide, for reasons to be reported in writing, to conduct an investigation of definite public importance in public. If he decides to conduct an investigation, he must send a copy of the complaint to the concerned public servant and the competent public authority, and must give the public servant concerned an opportunity to offer his comments. These provisions are much the same as in most other ombudsman acts, except that ombudsmen elsewhere must give this opportunity only after the investigation is completed and they propose to comment critically on the action taken.

As with most ombudsman laws, the Lokayukta or an Upalokayukta may refuse to investigate any complaint if he believes it to be frivolous or vexatious or not made in good faith, or if other remedies are available which it would be more proper for the complainant to pursue. He must record his reasons for refusal to investigate complaints and communicate these to the complainant. Included in the Act are strong powers for taking evidence and procuring records. Both types of ombudsmen enjoy all the powers of a civil court in this respect.

If the Lokayukta or an Upalokayukta is satisfied that the action in question has resulted in injustice or undue hardship he is to recommend remedial measures to the public servant concerned and to the "competent authority", and fix the time for taking necessary action. The authority is

required, in turn, to inform the Lokayukta or Upalokayukta of the action taken, within one morth of the expiry of the time fixed.   Similarly, if the Lokayukta or an Upalokayukta finds that an allegation can be substantiated, either wholly or partly, he is required to report his recommendations, along with the evidence, to the competent authority.   This authority is then required to indicate, within three months of the receipt of the report, the action taken or proposed to be taken on it.   If the relevant ombudsman is satisfied with the action taken, he will close the case, but if he is not satisfied, he may make a special report to the governor, who is to send it, along with an explanatory memorandum, to be laid before each house of the state legislature. The Lokayukta and Upalokayuktas are also required to present to the governor a joint annual report which, along with any explanatory memoranduni, is also to be laid before each house.

It should be noted that these ombudsman-like   officeis, even though empowered to investigate serious allegations of corruption, only have power to make recommendations to the executive.   If the competent authority does not accept these recommendations, they have no further power, except to publicise their recommendation either in their annual report or in a special report to the governor.   However, since all such reports are to be placed before each house of the legislature, the opposition and public opinion will have an opportunity to demand that action be taken on them. Unfortunately, however, the Act contains no time limitation on the executive for tabling the reports in the legislature.

Many of the provisions and even much of the language in this legislation are virtually the same as that to be found in ombudsman laws in other countries.   The key differences are: the inclusion of allegations of corruption and the extension of the Lokayukta's scope to elected officials, the requirement that the complaint must be directed against specific individuals, the formality of the procedure for making a complaint, which applies to grievances as well as allegations, and the fear instilled in the complainant by the provision that he may be imprisoned and fined for making a false statement.   The formality of the complaint procedure is illustrated by the fact that the Act could not go fully into effect until the government had issued detailed rules, and when they were issued they were longer than the Act itself, which occupied only twelve printed pages. The detailed rules for filing the complaint form and swearing an affidavit before a legally authorised person occupy a page and a half.

The Act also has serious limitations in its scope.   For instance, the ombudsman and deputy ombudsmen cannot entertain a complaint if the complainant has or had another remedy open, or if the complaint is related to an action taken for purposes of investigating crime, protecting the security of the state, or determining whether a matter shall go to a court of law. Nor does it cover the commercial relations of the administration with customers or suppliers, the conditions of service of public servants, or the granting of

honours and awards.   The provision that no complaint can be entertained for which another remedy is available is particularly limiting, because nearly every case of corruption could be theoretically fitted into the provisions of the Prevention of Corruption Act and the person complained against could usually find some ground for going to a court of law with a petition that the ombudsman had no jurisdiction. ˢᶦ

The slowness with which the government moved to implement the Act gives the impression that it was not very enthusiastic in its support. It took ten months after the Act was passed to appoint a Lokayukta, another ten months to appoint a single Upalokayukta, and even longer to promulgate the rules required for putting the Act fully into effect. As a result, the plan did not become operative until the end of October 1972. Although the two ombudsmen submitted their first annual consolidated report in November 1973, pointing out faults in the Act and recommending modifications, the report was not presented to the state legislature and made public until December 1974. Meanwhile, the Lokayukta had sent a letter to the government in March 1974 making it clear that the ombudsmen could not work independently unless the Act was amended.[6]

In their first report, they stated that the limitations placed on their jurisdiction by the Act were stringent and numerous and drastically affected their functions, and noted that various provisions of the Act gave almost complete immunity to the police from their jurisdiction.   Indeed, they went so far as to say (p. 10) that "it is rather difficult to see. . .in which case in the matter of corruption the Lokayukta or Upalokayukta have any jurisdiction at all", and that (p. 7) "it is hardly to be supposed that a citizen will be public minded enough to make an 'allegation', *i.e.*, allege corruption, where he himself is not injured".   They concluded that in its present form, the Act would not achieve "the very useful and laudable objects" for which it had been framed.

In sum, the Act was ineffective for its main purpose of fighting corruption, and, because of the formal procedure required for making complaints, most citizens, especially among the poor and uneducated, were too intimidated to complain about their own grievances.   The scheme could not be made to work with reasonable success without a drastic overhaul.   However, the government did accept some of the first ombudsmen's minor recommendations and, as a result, the scheme has had some success in redressing grievances.

This success has grown slowly over the first ten years of the existence of the scheme, as is revealed by the statistics assembled by the ombudsmen on the receipt and disposition of complaints.   Although their annual reports for the past three years have not yet been published, they have been kind

[6]R. K. Dhawan, *Public Grievances and the Lokpal*, New Delhi, Allied Publishers 1981, p. 237.

enough to provide me with statistics for 1981 and 1982. Table 1 shows that while only 903 complaints were received in the first year, this figure had doubled by 1982.

TABLE 1 MAHARASHTRA : COMPLAINTS RECEIVED AND DISPOSAL OF COMPLAINTS, YEARS 1972-73, 1981 AND 1982

	1972-73	1981	1982	Per cent 1972-73	Per cent 1981	Per cent 1982
Complaints Received	903	1,669	1,868		100.0	100.0
Grievances	†	1,329	1,587		79.6	85.5
Allegations	†	340	271		20.4	14.5
*Chief Agencies	903	1,669		100.0	100.0	
Revenue and Forests	90	285		10.0	17.1	
Zilla Parishads	25	237		2.8	14.2	
Private Persons and Bodies	93	137		10.3	8.2	
Home Department		131			7.9	
Urban Development and Public Health		97			5.8	
Bombay Municipal Corporation	36	72		4.0	4.3	
Municipal Councils	21	67		2.3	4.0	
Education and Employment	49	64		5.4	3.8	
Police	101	52		11.2	3.1	
Others	459	527		53.2	31.6	
Complaints Disposed of	594	1,916	1,691	100.0	100.0	
Rejected (incomplete, etc.)	265	581		44.6	30.3	
Outside competence	266	444		44.8	23.2	
Preliminary enquiry	45‡	176		7.6	9.2	
Given full enquiry		715			i37.3	
Unsubstantiated		292			15.2	
Redressed	18	421		3.0	22.0	
Recommendation made		2			0.1	

*Agencies with over 50 complaints in 1981, arranged in order of largest number.
†Figures not available.
‡For 1972-73 separate figures were not given for the two categories of enquiry.
SOURCE : Annual Report of the Lokayukta and the Upalokayukta, 1972-73, and figures supplied by them for 1981 and 1982.

Of the 1,868 complaints received in 1982, 1,597, or nearly 86 per cent were grievances, while only 271 were allegations. Complaints have been spread over a wide range of departments and authorities. The authority with the highest percentage of complaints in 1972-73 was the police, but by 1981 this honour had shifted to the Department of Revenue and Forests. The chief organisations complained against in 1981 beside the Department of Revenue and Forests, with 17 per cent of the complaints, were the Zilla

Parishads, with 14 per cent.   Next in importance were complaints against private persons and bodies, the Home Department and the Department of Urban Development and Public Health, with over five per cent each, followed by the Bombay Municipal Corporation, municipal councils, the Department of Education and Employment, and the police. Complaints against the district and local authorities (Zilla Parishads, Bombay and other municipal councils) had increased from under 10 per cent to over 20 per cent in 1981.

The table also reveals that the number of cases disposed of in 1981 was considerably larger than the number of complaints received. This is because in recent years a serious effort has been made to reduce the year-end backlog and the length of time for which the cases are pending.   Most cases are now settled in about three months.

More important, the table reveals how much Maharashtra's plan has improved in the handling and redressing of complaints since its first year of operation. In 1972-73, of the 594 complaints disposed of, 89 per cent were rejected without enquiry as being either incomplete or outside the ombudsmen's jurisdiction, while in 1981, of 1,916 disposed of, only 54 per cent were rejected for these reasons.   In 1972-73 less than 8 per cent of the complaints were given either a preliminary or full enquiry and only 3 per cent resulted in the grievance or allegation being redressed.   In 1981, the great majority (nearly 80 per cent) of the complaints were grievances, and 37 per cent of the complaints were given a full inquiry.   The complaint was redressed in 22 per cent of all cases disposed of.   This compares very favourably with other ombudsman plans, where the percentage of complaints redressed is often lower than this.   In 1973, of the 594 complaints disposed of, the ombudsmen were able to redress the grievances in only 18 cases. Clearly the present ombudsmen are doing valuable work in redressing grievances, even though they cannot possibly be meeting the needs of a population of over 60 million.

Of the 1,916 complaints disposed of in the year 1981, 444 (23 per cent) were outside the competence of the ombudsmen. This seemingly high proportion is not unusual in other ombudsman plans, as the public cannot be expected to know the limits of the ombudsmen's jurisdiction. However, 581 complaints were rejected without further enquiry because they were vague, anonymous, incomplete, etc.   This proportion is very high and no doubt results from the legal requirement of detailed, full information from the complainant and the inability of the ombudsmen to dispense with this requirement even for ordinary grievances.

Compared with ombudsman plans elsewhere, an unusual feature of Maharashtra's scheme, derived from the proposals at the centre for a Lokpal and Lokayuktas, is the provision in the Act for a Lokayukta and one or more Upalokayuktas, with the Lokayukta the only one who is empowered to handle complaints against elected officials and the most senior permanent officials.

This division of duties by administrative level is not very logical because under a parliamentary system, ministers and other elected officials are responsible for the actions of their public servants, and the most senior officials for the actions of their juniors. The Act itself recognizes this by giving the Lokayukta the power to investigate any of the public servants that come within the scope of the scheme. In practice, only one Upalokayukta has been appointed. Since by far the largest proportion of complaints are directed at lower officials and since the Lokayukta also has authority over these officials, the two ombudsmen share the handling of complaints almost equally. The Ombudsman Act for Uttar Pradesh also has provision for one or more Upalokayuktas but in practice none has been appointed.

Since the Lokayukta and Upalokayukta are appointed for a term of five years and cannot be reappointed, the scheme in Maharashtra has had three Lokayuktas since its inception. The first one was Mr. S. P. Kotwal, formerly chief justice of the Bombay high court, and the second was Mr. A. R. Shimpi, whose appointment became effective in January 1978, but who died in office in January 1979. The third is Mr. N. D. Kamat, a former judge of the state high court, who was appointed in September 1979. All of the Upalokayuktas had formerly been the chief secretary for the government of Maharashtra. The one at the time of writing is Mr. S. V. Bhave, who was appointed in November 1978 and served as acting Lokayukta from January 1979 until Mr. Kamat's appointment in September of that year. Mr. Bhave is a native of Maharashtra and was in the Indian Administrative Service until the time of his retirement. He had been assigned by the Indian Administrative Service to the Maharashtra state government for a time and then was transferred to the central government's service but to a regional office in Bombay before his appointment as chief secretary to the state government.

It has been argued that the advantage of having a Lokayukta, who is a former judge, and an Upalokayukta, who is a former senior official, is that a judge is independent of the government and can stand up against the politicians, while a senior official has the advantage of administrative experience. However, having a judge as the Lokayukta contributes to the excessive formality of the complaint procedures, while a senior official is likely to have connections with the government and other senior officials that are too intimate.

The two current ombudsmen have served together for over four years and work very much as a team. The Upalokayukta makes decisions independently and the Lokayukta does not review his work or decisions, though they often consult informally, and, as required by the Act, their annual report and recommendations are a joint product. Their offices are in adjoining buildings and each directs his own staff, the complaints being directed to one or the other by the registrar. The organization of the staff in each office is approximately the same, that of the Upalokayukta

duplicating that of the Lokayukta, with the total staff numbering about 50.

The registrar is the executive head of the office for both ombudsmen, and under him are two assistant registrars, one for each ombudsman. The Lokayukta's assistant registrar, who is the chief administrator, has served since the start of the scheme in 1972. Each of the ombudsmen's offices is directed by a superintendent, who has three chief assistants and several clerks. There is also an administrative section, directed by a superintendent, which serves both offices.

At the beginning, the ombudsmen recruited their officers from the state government's service. These officers were seconded from the state service and could return to it, the argument being that if they were not from the state service they would have no future career unless there was a national ombudsman plan to which they could move by promotion. Now, however, most of the senior assistants are recruited and employed directly by the ombudsmen. This, of course, gives them a greater independence from the state administration. However, the ombudsmen have no investigating staff, and must depend on agencies of the state administration, such as the Anti-Corruption Bureau in the Home Department, to conduct their investigations. This has resulted in inordinate delays, and invites stone-walling and white-washing.

Over the years, the procedure for receiving initial complaints has become less formal. Many people appear in person at the ombudsmen's offices in Bombay, and complaints sent by mail on plain paper are followed up. The ombudsmen also travel elsewhere to receive complaints and their visits are announced beforehand by radio and press. The value of visits outside Bombay is not only to make it easier for complainants to appear, but also to settle complaints much more quickly. Most local complaints involve a local officer, who can be called upon at once to explain his action. Also, cases from a local area that come to Bombay can be settled locally during a visit, in a similar fashion.

Complainants who appear in person go first to the Lokayukta's building because of its physical location in front of the Upalokayukta's building. These buildings are two war-time bungalows easily accessible from one of the main streets in Bombay. The ombudsmen purposely refused space in the state's office building and chose offices in this location to make them more independent and less forbidding. Often complainants in person, after talking to the Lokayukta's secretary or the registrar, insist on seeing the Lokayukta or, if he is away, the Upalokayukta. Otherwise, the ombudsmen do not ordinarily see a complaint until after the staff have analysed it and given their summary and recommendations.

Because so many complainants appear in person, one suspects that there may be a disproportionate number of complaints from Bombay and its region, as indicated by the fact that the Bombay Municipal Corporation is

among the organisations frequently complained against. However, the complaints have not been analysed from the point of view of their regional balance, nor is there any way to get a breakdown of the complainants by income level, education or other social science indicators, because the complaint form requires only their name and address.

The procedure for handling complaints is worth discussing in some detail because of its continuing formality. Perhaps the greatest hindrances to complainants with a grievance are the complaint form and the affidavit. Even if a grievance appears to have justification, it is not legally receivable unless an affidavit stating the facts in the case is sworn before a competent authority. There is no doubt that the swearing of an affidavit can be a forbidding and harrowing experience for a poor and uneducated citizen. The grievance must be directed at a specific public official and the complainant must swear under oath that the facts are true. If any of his statements in the affidavit are false, he can be prosecuted for making a false allegation and the person against whom the allegation is made can take legal proceedings against him. Not only must he appear in person to swear the affidavit, but swearing before a magistrate will cost him a lawyer's fee of about 50-100 rupees (US $5-11) and he must pay five rupees for a stamp. Also, he may have to wait for a long time in the court incurring additional expenditure. However, in recent years, in deserving cases, the ombudsmen have arranged for their staff to help to prepare the affidavit and for their registrar to act as the competent authority, in which case a lawyer is not necessary. They have recommended that the Act and rules be amended to give them this power specifically.

The rationale for the affidavit is that since citizens may make false allegations in order to harass public officials, the affidavit and penalty for false statements are a necessary deterrent. However, it is difficult to see why it is necessary, since the complaint is secret and it is the ombudsman's job to discover whether it is justified, more so in the case of ordinary grievances where the complainant has no wish to direct an allegation against specific officials and may indeed have no idea who among them has been responsible for the maladministration he has suffered. In requiring for a grievance that there must be an affidavit and an accusation directed against a specific official or officials, the Act has failed to distinguish between wilful acts of miscon duct by particular officials and ordinary cases of inefficiency, delay and mistakes made in good faith, acts of maladministration to which all public officials are prone without malicious intent. In the case of a grievance, there seems no good reason for requiring an affidavit. The ombudsmen have recognised this, and in recent years, in deserving cases, have dispensed with the affidavit, on the grounds that under the Act they have the power to initiate a complaint themselves, in which case an affidavit is not required. Also, for a grievance, the ombudsmen do not insist that a specific officer at fault should be named, as long as the grievance is satisfied. Usually, the

head of the office responsible for the grievance is the person named in the complaint.

Once the complaint form and affidavit have been received, it must be decided whether a complaint will be accepted for investigation. The investigation of allegations does not take much of the staff's time, because the ombudsmen ask the Anti-Corruption Bureau to conduct the investigation. For grievances, the investigation is divided into two distinct stages—the preliminary enquiry and the formal enquiry. The first is to gather information from the officials in the organisation complained against in order to determine whether there appears to be sufficient justification to conduct a formal enquiry.

The preliminary enquiry itself follows several distinct steps, and it is interesting that most of the grievances are settled at this stage. First, a request for relevant information and for an explanation is sent to the officer concerned. The officer is given a time limit of one or two months within which to reply and then is sent a reminder. If he does not reply within a reasonable period of time, a DO (demi-official letter) is sent to the higher officer concerned, with the information that if the department does not reply, a formal enquiry will be conducted and they will receive a summons to a hearing. The lower officers are often slow in replying because they do not realise that their senior officer will receive a DO. However, the government has issued instructions for speedy replies, saying that requests for information are to be treated like questions by members of state legislature. Many cases are settled at this stage, and if a summons is actually sent, about forty per cent of the cases are settled without a hearing. If a case is settled, a copy of the officer's report outlining the settlement will be sent to the complainant.

If the case is not settled, both parties are called together at a hearing before one of the ombudsmen. This hearing is not nearly as formal as a court, though a lawyer can be brought in by the complainant if he wishes. The hearings are held in the relevant ombudsman's office, and there are no set days. The parties simply confront one another and give the ombudsman their explanation of the action taken. The parties usually accept the ombudsman's recommendation and the complaint is settled on the spot. The process of settlement is thus expedited through the device of the hearing. If they settle the case, there is a later follow-up to see that the complainant is satisfied with the action taken on the settlement. The relevant ombudsman will not send a report on the case to the governor unless appropriate action is not taken. If he is not satisfied with the action taken by the government, he may make a special report to the governor, but only one such report has ever been issued.

A serious defect in the Act, of which the government has taken great advantage, is that no time limit has been set for the government to attach its explanatory memorandum to the ombudsmen's annual report and to lay

the report before the legislature. As a result, there has been a delay of several years before the annual reports are tabled and published even though the ombudsmen have regularly prepared and sent them to the government each year. Yet, the annual reports are one of the main avenues through which the ombudsmen's office is publicised and their recommendations discussed publicly. By the time the reports appear, the news is stale. The Act should have contained a provision like that for the Accountant General, which requires that his annual report must be laid before the legislature and published within a certain period of time.

Because of this delay and the secrecy of investigations, with no publicity even after an investigation has been completed, the success of the ombudsmen at resolving grievances has not been reported in the press, and the nature of their work, or even the existence of their office, is not widely known. Yet, in the handling of grievances, they have been much influenced by the successful practices of ombudsmen elsewhere. Not only has the proportion of remedied grievances increased greatly in recent years, but also the ombudsmen believe that the preventive effect of their office is becoming more important in the sense that officials are becoming more conscious of the possibility of the ombudsmen's intervention, and, therefore, act more carefully and quickly when dealing with the public.[7]

At present, a large portion of the complaints concern delay in the payment of pensions for retired junior officials and other public employees such as teachers, who are sufficiently well informed to know the benefit of complaining to the ombudsmen. If the ombudsmen's services were to be given much wider publicity among the general population, the office would begin to satisfy one of the main needs for which it was intended, the remedy of grievances. People cannot complain to the ombudsmen about their grievances if they do not know that the office exists. This lack of public knowledge, when added to the requirement of a complaint form and affidavit, largely explains why the number of grievance complaints is still so small in Maharashtra.

Bihar

The law establishing an ombudsman in Bihar is almost a carbon copy of Maharashtra's Act, except that it provides for no Upalokayukta and that the chief minister of Bihar has recently been included within the jurisdiction of the Lokayukta by an ordinance proclaimed in March 1983. The way in which Bihar's plan began illustrates the difficulty of implementing such an institution in a country that is highly politicised but has not developed accepted constitutional conventions for the operation of the parliamentary system in a federal state. It also illustrates the difficulty of trying to combine in a single institution the investigation of political corruption with the

[7]Interview with N. D. Kamat and S. V. Bhave, March 1982.

handling of citizens' grievances. Since Prof. R. B. Jain has given a full account of the way in which the appointment of the first ombudsman became embroiled in a political controversy,[8] only a summary needs to be given here.

The office of Lokayukta in Bihar was first created through an ordinance issued by the state government early in 1973. The ordinance provided that the governor of the state was to appoint the Lokayukta in consultation with the chief justice of the Patna High Court. But in order to make the appointment non-controversial, he also consulted the chief minister, the leader of the opposition and the speaker of the legislative assembly and, as a result, named S. V. Sohoni, a retired senior official, who was sworn in on May 28, 1973. However, soon after Mr. Sohoni's appointment, some senior ministers, who were fearful of what the new ombudsman's investigations might reveal, began contending that the cabinet's right to make the appointment had been arbitrarily encroached upon by the governor, who should have acted exclusively on the advice of the cabinet. They also managed to keep office of Lokayukta starved for funds, in the hope that Mr. Sohoni would be humiliated into resigning voluntarily, and persuaded the chief minister to allow the ordinance to lapse.

The governor, however, took his case to the central government's Home Ministry, arguing that a Lokayukta appointed by the cabinet would be unable to investigate fearlessly and impartially any complaints of corruption or misuse of power against ministers. The Home Ministry then directed the Bihar government to re-issue the ordinance but it did not do so. Instead, it allowed the Bihar Lokayukta Bill 1973 to be passed by the state legislature, but not until January 1974. The Act carried much the same provision as the Maharashtra Act that the Lokayukta was to be appointed by the governor after consultation with the chief justice of the Patna High Court and the leader of the opposition in the legislative assembly, and Mr. Sohoni remained in office.

The controversy then took a new turn. After he had decided to proceed with an inquiry against two ministers regarding their role in the purchase of pumping sets under the emergency agricultural programme, Mr. Sohoni's appointment was challenged in the Patna High Court and there was some question about how enthusiastically the government would help to defend him. In October 1974, it was reported that certain officials had gone to Delhi to seek the advice of the central government's home and law ministries on how to defend the Lokayukta, whose appointment was apparently being challenged by a section of the cabinet and the law officers of the state. Though his appointment was upheld by the judiciary, the controversy surrounding his case against the ministers seems to have

[8]R. B. Jain, *Contemporary Issues in Indian Administration*, Delhi, Vishal Publications, 1976, pp. 392-395.

dampened his spirit, as indicated by the fact that thereafter he took up no investigation against any public official of high standing even though public scandal involving highly placed people went on being revealed from time to time

From this account, it is clear that the new scheme in Bihar had far from an auspicious beginning. This, combined with the defects in the Act itself, conspired to render the corruption aspect of the legislation virtually inoperative. Thereafter, though no further cases were taken up against ministers, Mr Sohoni struggled manfully to make the legislation work, and proceeded to have some success, especially with the grievance provisions.

One important aspect of the Act and its accompanying regulations that helped in this respect was that the rules for making a complaint were less elaborate than those in Maharashtra. As in Maharashtra, the number of initial or preliminary complaints is much greater than the number formally completed because, when complainants initiate a complaint orally or informally by mail, many of them melt away when they discover the formality, cost and risk of completing the complaint form and swearing an affidavit. However, the rules in Bihar do not require the form to name specific public servants, or to be "accompanied by as many spare copies as there are public servants complained against", as the rules say in Maharashtra, and since there is no threat of imprisonment and a fine for making a false statement, not as many complainants withdraw. Also, the Lokayukta may waive the fee of three rupees and 20 paise for filing a complaint, and affidavits may be sworn without cost and inconvenience before designated members of his staff. These differences help to explain why the number of complaints in Bihar is almost double of that in Maharashtra.

Also, the first Lokayukta, Mr. Sohoni, established the precedent of using his power to initiate a complaint as a device for waiving the formal requirements. Since he had been formerly an officer in the Indian Civil Service rather than a judge, he did not feel hide-bound by the letter of the law where its provisions were unnecessarily restrictive. In fact, he often used his power of initiative, taking his cue from the practice of ombudsmen in other countries, especially in the case of anonymous petitions. He took up cases based on newspaper reports, one outstanding example being an allegation against a doctor in a hospital, whom the Lokayukta found to have been negligent. In his annual report of 1977-78 the Lokayukta noted that this use of his initiative resulted in some very worthwhile investigations, which culminated in punishment to the impugned public servants. The second Lokayukta has made little or no use of this power.

The second Lokayukta, Mr. S. N. P. Singh, a former chief justice of the Patna High Court, was more impressed with the need to follow the letter of the law, and this probably explains why the number of complaints declined during his first year in office. The willingness to ignore restrictive legal requirements is likely to be a positive advantage in the case of ordinary

grievances, because most civil servants are willing to redress a grievance where the maladministration resulted from action taken in good faith. On the other hand, allegations of wilful misconduct against specific officials are so serious that all of the formalities of the law must be observed, or the Lokayukta is likely to be accused of bias and his office may fall into disrepute. This helps to explain why the trend in all of the state plans has been to appoint judges as Lokayuktas. These contending considerations illustrate the folly of requiring the same procedures for grievances and allegations. The result has been to short-change the objective of remedying grievances.

At the same time, Bihar's scheme has not been notably successful in fighting corruption. A serious limitation on the Lokayukta's ability to pursue cases of corruption is that, as in Maharashtra, he was provided with no staff of his own to investigate allegations. He had to depend upon the Vigilance Commission, which continued to exist after the Lokayukta's office was created, and also upon a special unit for technical vigilance (malpractice in building, etc.) and the vigilance sections within the departments. The vigilance commission was not renowned for its speed in investigating cases, and because it was not independent from the executive, was suspected of using the device of placing a public servant under continuing investigation as a method of ensuring his loyalty to the government. It was not unheard of for a public servant, who, for example, had been accused of building a house for himself out of public funds, to be under investigation for ten or fifteen years, or until his retirement. Also, when the Lokayukta requests a departmental officer for information on an allegation, it is not uncommon for the officers concerned to delay unreasonably, or even to tamper with the records or send incomplete ones. In the early days, when the Lokayukta took the time to make investigations himself, he often found that higher officers than the ones complained against were involved, but this discovery was made possible only by a direct examination of the files.

Another serious limitation of the scheme for fighting corruption in high places is that it does not cover ex-ministers and ex-public servants. As soon as a minister leaves office or a senior official retires, the Lokayukta is powerless to pursue a case against him. He must cease his investigation and cannot take up a new case against him This restriction was removed from the Act in Maharashtra and does not exist in Uttar Pradesh.

As in Maharashtra, one of the most serious disabilities of the Lokayukta has been the lack of firm governmental support. The government has taken advantage of the wording of the Act to hide the results of the ombudsman's investigations and his criticisms of its lack of remedial action. As in Maharashtra, his annual reports have been consistently withheld by the government for several years, the latest one available being for 1975-76. Though the reports recount individual cases of corruption or maladminis-

tration, the names of officials must be withheld, the case reports do not give enough detailed information for the opposition or the press to confront the government, and by the time a report appears the news is stale. If the government is asked what action has been taken on one of the Lokayukta's recommendations, the reply is likely to be that "appropriate action has been taken". As a result of this secrecy, the Lokayukta's office receives little publicity, is not widely known, and its grievance function is used mainly by retired public servants and other educated people who know how to take advantage of its services.

One area in which the Lokayukta's office has been doing good work, as in Maharashtra, has been the redress of grievances involving the pensions of non-gazetted (low-level) public servants. The number of pension cases has risen to nearly one-third of all complaints received. Many of the complainants have been ill-paid public servants like village school teachers, constables, clerks and peons, many of them completely indigent because their pensions were not being paid. It cannot be denied that Bihar's ombudsman has been doing a very worthwhile job in this respect. Due to the increasing case-load, his staff has grown gradually over the years, and is now more than 50.

Unlike the statistics in the annual reports for Maharashtra, those for Bihar and UP give no statistical tables with breakdowns of the number of initial complaints received and disposed of. It is, therefore, impossible to make direct comparisons of the nature and disposition of the initial complaints in the three plans. For Bihar, the following tabulation of figures taken from the annual report for 1975-76 shows the number of complaints received and affidavits actually filed and the way in which complaints were disposed of that year:

Complaints received	1,984
Affidavits filed	82
Complaints disposed of as :	2,307
Outside jurisdiction because public servants	890
Rejected because other remedies available	727
Wrong addresses or pseudonymous complaints	352
Complaints considered trivial	226
Rejected after preliminary enquiry	78
Claims of public servants on retirement, removal or	
termination of service	34

From this tabulation, it would appear that the only successful complaints that year were from retired public servants.

As in the case of Maharashtra, we may conclude that the scheme has been a failure in the fight against corruption, and that the grievance function was made almost ineffective by the formal requirements of the Act

designed to deal with corruption. If the scheme aimed solely at remedying grievances and if other, stronger machinery to replace the vigilance commission had been created to fight corruption, the story would have been quite different.

Uttar Pradesh

Because the ombudsman plan in Uttar Pradesh is relatively new, it could have benefited from a study of the experience of the other two plans in order to make it more effective and to fit the conditions of a much larger population. Yet, it has so far turned out to be the least successful of the three. Regarding the grievance handling function, instead of revising the plan to make it much more accessible to the citizens and easier for them to present their grievances, the government went in the opposite direction. Its legislation, which was almost a carbon copy of that in Maharashtra and Bihar, continued the unfortunate treatment of grievances as though they were equivalent to serious allegations of misconduct or corruption against specific officials, yet made the complaint procedure even more restrictive.

The reason may be that the new Act was designed to replace a previous one directed exclusively at corruption, the U.P. Public Enquiries Act, 1967. It provided that any person could make a complaint of misconduct against appointed and elected officials and representatives, such as permanent secretaries, ministers, deputy ministers, members of the legislature, presidents of regional and district authorities and mayors of cities and towns. But the complainant was required not only to file an affidavit in support of the complaint but to deposit a security of Rs. 1,000 (about US $ 110), which was to be used to pay restitution to the officials complained against if it should turn out that he had made a false allegation. It was provided that, in the case of the most senior elected officials, a serving high court judge or a retired supreme court judge would make a preliminary enquiry, while in the case of others a serving district judge would do so. When the Janata government came into power in UP, committed to eliminating graft from the administration, it replaced the Act of 1967 with the Lokayukta and Upalokayukta Act, 1975,[9] but it did not go into effect until July 1977.

It is probably because of this history that the Act required the Lokayukta to be a serving or retired judge of the supreme court or a high court, and that its scope included the members of both houses as well as senior elected officials, the argument being that no other corruption machinery covered the elected members. Though the Act provided for one or more Uplokayuktas, as in Maharashtra, none was appointed. Shri Bishambhar Dayal, a retired chief justice of the Madhya Pradesh high court, took office as the

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[9]In the U.P. Act, the word is spelled Uplokayukta, rather than, as in Maharashtra Uplokayukta

first Upalokayukta in September 1977.

Though the differences in the provisions of UP's Act were minor, they turned out to be significant. Compared with Bihar and even Maharashtra, they pushed the scheme further in the direction of legalism and formality. The requirement that the Lokayukta be a judge would be likely to ensure that strict legal procedures would be adhered to. In many of the most successful ombudsman plans, such as most of those in the Canadian provinces, the ombudsmen have no legal training. Also, the power of the Lokayukta to initiate investigations on his own was removed, which ensured that the grievances could not be redressed unless the complainant was willing to follow the strict legal requirements for making a complaint. Complainants are required not only to swear an affidavit but also to provide "affidavits of all persons from which he claims to have received information of facts relating to the accusation, verified before a notary, together with all documents in his possession or power pertaining to the accusation", and not less than three copies of the complaint as well as each of its annexures. As in Maharashtra, the complaint form requires the name of the person against whom the complaint is being made, while the passage describing imprisonment and fine for any false complaint has been expanded into a section occupying two printed pages which, among other things, gives your friendly ombudsman the power to try complainants summarily for giving or fabricating false evidence and to imprison them for up to six months and fine them Rs. 5,000 (about US $550).

The rules under the Act carry forward from the Act of 1967 the provision that a complainant making allegations must pay Rs. 1,000 security for costs and compensation which, if the complaint is successful, is refunded. The deposit of Rs. 1,000 for an allegation can be, and often is, waived by the Lokayukta. However, the very existence of the deposit discourages people from proceeding with allegations, and the amount seems very high. The fear was that people would make false allegations against officials as a form of harassment. Yet, no such deposit has been considered necessary in Maharashtra and Bihar. In view of these restrictions, it is not surprising that the Lokayukta has received only a small number of complaints and only a minuscule number of ones that are fully documented. This is revealed in the Lokayukta's annual reports, which have been made public with great alacrity compared with Maharashtra and Bihar, and are available for the years 1977-1981, inclusive.

The annual reports show that the plan began with fewer than 2,500 complaints a year, and the number actually declined from 2,329 in 1978 to 745 in 1980, but rallied again to 1,675 in 1981. The number of so-called 'proper' complaints (with the form and affidavit completed) also declined, from 184 in 1977-78 to only 35 in 1980, though it should be noted that the report for 1977-78 covered $15\frac{1}{2}$ months and that the number rallied to 101 in 1981.

The following tabulation, compiled from the annual report for 1980, shows the disposition of the complaints received in that year:

Complaints received	745
Sent form	232
Notified as outside jurisdiction	262
Dismissed as addressed to other authorities or frivolous	251
Total 'proper' complaints, with form and affidavit	35
Proper grievances	31
Proper allegations	4
Plus 18 pending from previous year	52
Rejected as outside jurisdiction or petty	24
Accepted for preliminary or formal enquiry	28
Closed or suspended after preliminary enquiry	15
Enquiry continuing or pending	11
Enquiry completed, report made and action taken	2

The tabulation reveals that in 1980 the Lokayukta received 745 preliminary complaints 'on plain paper'. Of these, 262 were rejected because the subject matter of their complaint did not come within his jurisdiction, and 251 were dismissed because they were either addressed to other authorities or the matter complained of was frivolous. In the remaining 232 cases, he sent the complainant the form and a statement of the requirements, but the total number returned was only 35. Of these (referred to by the Lokayukta as 'proper' complaints), two were against ministers, one against a member of the legislature, 21 against gazetted officers, 6 against nongazetted officers, one against an officer of a corporation, three against other autonomous or local bodies, and one against a cooperative institution. Of the 52 fully completed complaints (including ones carried over from 1979), 24 were rejected on the ground that they were outside his jurisdiction or too petty to be enquired into. The remaining 28 were accepted for preliminary or formal enquiry. Of these, 15 were rejected after preliminary enquiry as baseless, and others were pending for various reasons, so that a formal enquiry was completed and a report sent to the competent authority in only two cases. Satisfied with the action taken or proposed to be taken by the government, the Lokayukta then declared these two cases closed.

In the report for that year the Lokayukta observed, apparently with some puzzlement, that complainants, after making initial complaints, mysteriously melted away. He concluded that this was because complainants were not provided with the necessary three copies of the form, and began to send them out in response to initial complaints. Perhaps partly as a result, while the number of complaints in 1981 increased to 1,675, more than twice as many as the year before, the number of completed complaints

in 1981 almost tripled, to 101. The small number of initial complaints is harder to explain, especially in view of the efforts that the Lokayukta made to publicise his office through the press and radio. He even hired a public relations officer on his staff, which has grown to about 40. In spite of the restrictive nature of all three state plans, one would have expected the number of initial complaints in UP to be much higher than in either Maharashtra or Bihar because of its much bigger population. It is also interesting that the proportion of grievance complaints is comparatively small. Of the 184 completed complaints received in 1978 (the latest year the breakdown is shown in the reports), about 46 were allegations and only 138 were grievances.

In 1981 the results were almost as dismal as in 1980. Of the 1,675 initial complaints received, only 599 appeared as though they might qualify under the Act, and when the complainants were sent the prescribed forms and advised to complete all the formalities, only 39 complainants returned the forms. The Lokayukta's report for 1981 reveals (p. 3) that only 33 complaints were taken up for preliminary or formal enquiry, and that in most cases the enquiry was still not complete by the end of the year.   Only in one case was it completed and a report sent to the competent authority. However, 169 of the complaints that were considered to fall outside the purview of the Act had been sent on to the concerned authorities, often with the request to report the result of the action taken. The report states that the complainant was provided relief in eleven such a cases. The second Lokayukta, M. Husain, who took office in January 1983, has made recommendations to the government designed to improve the working of the scheme.

In his report for 1980 the Lokayukta said (p. 4) that "there is nothing to be alarmed in case the number of complaints are going down", and thought that the explanation was contained in a statement in the interim report of the Administrative Reforms Commission: "Over a period of a few years, the general public will become accustomed to the working of the system and realise the futility of approaching the institution in cases which do not need its attention or in which the complaints are not genuine. One is tempted to add to that the public may also have realised the futility of approaching Bihar's institution in cases which *do* need its attention.

On the allegation side, the institution has been somewhat more successful. When it was created, the vigilance commission was abolished, as in Maharashtra, thus avoiding the confusing duplication that exists in Bihar. The Lokayukta has persuaded the government to provide him with a small investigative staff of his own, unlike the situation in Maharashtra and Bihar where the ombudsmen have recommended this but no action has yet been taken. Of nine allegations dealt with in 1980 two were against ministers, three against members of the legislature, three were against gazetted officers and one was against an officer of a corporation.

In sum, one is compelled to conclude that the authors of the plan in UP have made no serious effort to remedy the defects of the original plans in Maharashtra and Bihar. Indeed, they have further crippled its capacity to handle grievances.

<div align="center">COMPLAINT PLANS IN OTHER STATES</div>

Rajasthan

The State of Rajasthan has a complaint plan that is very closely related to the three discussed above. The legislation that created it was passed in 1973, just after Maharashtra's Act went into effect. Like the Acts in Bihar and Uttar Pradesh, the wording was taken directly from Maharashtra's Act. However, it deals only with allegations of corruption and makes no provision for handling grievances. Thus, it does not qualify as a genuine ombudsman plan. Because G. B. Sharma gives a good account of its origin and nature[10], it will not be discussed here other than to say that its history and experience in the handling of allegations has been much the same as with the other three plans.

Kerala

It should also be mentioned that in 1979 the government of Kerala set up machinery similar to that created by the UP Act of 1967 to probe into complaints of corruption against ministers and members of the legislature, providing for a petition of charges accompanied by a deposit of Rs. 500. Complaints are referred first to a sitting or retired judge and, if a *prima facie* case is established, an enquiry commission is set up under the Commission of Enquiries Act. The measure was considered to be an interim one, pending the adoption of permanent machinery along the lines of other Lokayukta acts. Similar schemes were also adopted in Gujarat and Orissa.

Orissa and Karnataka

In Orissa a Lokpal and Lokayuktas Act was passed in 1970, but it was never implemented. Also, a Lokayukta plan was in existence for a brief period in the state of Karnataka during 1978-79, created by an ordinance of the government. The chief minister at the time had formerly been a member of Mrs. Gandhi's party but, after a dispute with her, had broken from the party. When many of his followers defected to her party, he was forced to resign. The Congress(I) party then came to power, and the office of Lokayukta was abolished in such a summary fashion that the Lokayukta unsuccessfully challenged the validity of abolishing his office before the expiry of his term. However, the fact that ombudsman plans have been

[10]Girdhar B. Sharma, *Implementation of Ombudsman Plan in India*, New Delhi, Ashish Publishing House, 1981, pp. 73-78.

recently adopted in Madhya Pradesh and Himachal Pradesh shows that the Lokayukta idea is not yet dead in India.

Madhya Pradesh and Himachal Pradesh

The history of the plan in Madhya Pradesh goes back at least to 1968, when an ordinance was promulgated, entitled "The M.P. Enquiry Commissioner (Public Men and Public Servants) Ordinance". Its salient feature was that for the purpose of conducting investigations an enquiry commissioner of the status of a supreme court judge was to be appointed by the governor for a period of five years. However, the ordinance did not receive the necessary approval of the assembly and lapsed. A bill providing for a Lokayukta was then introduced in the legislature in 1974 and was ultimately passed in 1981. The Act has now come into force and a Lokayukta has been appointed. Similarly, the new plan in Himachal Pradesh is now in operation, and the former chief justice of the Delhi high court has been appointed as the Lokayukta. An interesting feature of the laws in these two states is that, as in Bihar, the Lokayukta's jurisdiction includes the chief minister of the state.

A CRITIQUE OF THE THREE PLANS

Although the ombudsman plans in Maharashtra, Bihar and UP have done much good work over the years in remedying grievances against the administration, especially grievances of retired public employees, a comparison of the complaints they receive with those received by plans in states of other federations shows that something is radically wrong with the way in which they have been designed and operated. Table 2, comparing the complaints received in the three Indian states with those received in seven states of five other federations and in several unitary countries, reveals that, although the number received per 100,000 population varies greatly elsewhere (ranging in the seven states from 26.8 in Iowa to 153.2 in Quebec, where requests for information are included), the number per 100,000 received in the Indian states (ranging from 0.7 in UP to 3.9 in Bihar) is minuscule by comparison, and much lower than the number for any of the developing countries listed.

Using the average number received in six states of the other federations in 1980-81, about 90 per hundred thousand, one may calculate that the office in Bihar, which has proportionately the largest number of complaints among the three Indian states should be receiving something like 47,000 grievance complaints per year. The office in Quebec has a staff of about 30 to handle about 9,000 complaints a year. If the office in Bihar had the same low ratio of one staff member for every 300 complaints, it would need a full-time staff of about 160 to handle 47,000 grievances, unless part-time counsellors were to be appointed throughout the state to receive and screen preliminary

TABLE 2 COMPARISON OF COMPLAINTS RECEIVED BY OMBUDSMEN IN
INDIAN STATES, STATES OF OTHER FEDERATIONS, AND
DEVELOPED AND DEVELOPING COUNTRIES

State or Country	Population (000's, 1980 or 1981)	Complaints received		Complaints per 100,000	
		1980-81	1981-82	1980-81	1981-82
Indian States					
Bihar	69,823	2,753[1]		3.9	
Maharashtra	62,694	2,079[7]	1.669	3.3[7]	2 7
Uttar Pradesh	110,858	745	1,675	0.7	1.5
Other States					
Hawaii, US	965	1,369[1]		141.9	
Iowa, US	2,913		781[2]		26.8
Ontario, Canada	8,631	4,022[1,2]	5,682[1,2]	46 6	65.8
Quebec, Canada	6,343	9,717[3]	8,691,[2,4]	153.2	137.0
Rhineland Palatinate, W. Germany	3,641	2,743	2,376	75.3	65.3
Victoria, Australia	3,887	2,541[1]		65.4	
Zurich, Switzerland	1,123	653[5]		58.1	
Developed Countries					
Israel	3,780	7,326		193.8	
Portugal	9,870	4,421		44.8	
Sweden	8,290	3,484[1]		42 0	
Developing Countries					
Fiji	634	324		51.1	
Mauritius	958	113		11.8	
Papua New Guinea	3 001	1,114[6]		37.1	
Trinidad and Tobago	1,168	551		47 2	
Tanzania	18,141	3,347		18.4	

[1]Mid-1980 to mid-1981 (and mid-1981 to mid-1982 for Ontario).

[2]Complaint files opened, not including informal complaints and requests for information, of which in Ontario there were 4,687 in 1980-81 and 3,885 in 1981-82, in Iowa 3,069 in 1981, and in Quebec 700 requests for information in 1982-83.

[3]Includes informal complaints and requests for information.

[4]Figure is for 1982-83.

[5]Figure is for 1978-79.

[6]Mid-1979 to mid-1980.

[7]Figure is for 14 mos., Oct. 24, 1979 to Dec. 31, 1980.

SOURCE : International Ombudsman Institute, *Ombudsman Survey*, 1981 and 1982, and the Citizen's Protector in Quebec.

complaints, as in Japan and France.

The main defect in the Indian plan has been the attempt to combine the ombudsman institution with the machinery for fighting corruption, and the consequent treatment of grievance complaints in almost exactly the same way as allegations of misconduct and corruption. This has had two unfortunate results. The fear by senior officials and ministers of allegations against themselves or their colleagues has meant that they have given the plan weak support bordering on actual sabotage of its effective working. When the schemes began, the Lokayuktas struggled valiantly to make them effective, but were often frustrated and then discouraged by the lack of support. Secondly, it has resulted in a forbidding formal procedure, designed for allegations, being applied equally to grievance complaints. The extreme example is the threat of punishment to the complainant unfortunate enough to have made a false statement. The ombudsman elsewhere is widely regarded as the little man's friendly helper and defender against the bureaucratic juggernaut of the modern state, but in UP he has been turned into a kind of ogre who can put the poor complainant in jail if he dares to make a statement that the ombudsman considers false. One of the ombudsman's main functions is supposed to be to find out through his own investigation whether the complaint is justified and, if not, explain to the complainant the extent to which it is false. Provisions in UP's Act have unfortunate echoes of the attitude of British colonial administrators that the officials are definitely in control and the natives can't be trusted. It is interesting that there is no parallel provision in UP's Act for the summary conviction of officials who make false statements.

In considering how the Indian plans might be made more effective, I should like to divide my proposals into two categories : those designed to improve the existing plans without drastic revision, and proposals for major overhaul, designed to make these and future state or national plans fully effective.

Proposals for Improvement

There are a number of ways in which the existing ombudsman plans can be improved without amending the legislation. Some of the measures could be taken by the Lokayuktas themselves, while others would require action by the state governments. In the latter case, since most of the measures proposed are designed to improve only the grievance part of the plan, one could hope that they would receive vigorous support.

The most effective measure that the Lokayuktas could take would be to separate the treatment of allegation and grievance complaints insofar as this is possible within the existing laws and rules. Utilising a much less formal procedure for the receipt and processing of grievance complaints would probably require a complete separation of the office staff into allegation and grievance sections. The ombudsmen in Maharashtra and Bihar could also

make more use of their power to initiate investigations as a device for waiving the formal requirements for grievance complaints. In UP, however, this would require an amendment to the Act to restore the power of initiative for grievances.

The second most important action the Lokayuktas could take would be to try to make their office far more accessible to the public. People cannot complain to an office if they do not know of its existence. This would require vigorous efforts to publicise its services, an office that is easily accessible physically and not forbidding psychologically, the encouragement of initial complaints orally or by telephone and, where a complaint appears to have some foundation, friendly help by the office staff with completing the formal complaint requirements. Action could also be taken to decentralise the office, as has been done in several countries and Canadian provinces, through either frequent visits outside the state capital or regional offices. France is an outstanding example of a plan where the ombudsman decentralised his office without amendment to the law by appointing a hundred local 'correspondents' throughout the country to receive and screen initial complaints.

Another area in which the Indian ombudsmen could take more vigorous action is in making recommendations in their annual reports designed not only to improve their governing legislation, but also to remedy defects in the laws and administrative procedures insofar as they affect individuals. The annual reports of the Indian ombudsmen reveal very few recommendations of this kind, whereas this has been one of the main functions of ombudsmen elsewhere. The outstanding example is France, where the ombudsman's annual reports are replete with recommendations for legislative and administrative reform, most of which have been accepted by the government, including the revolutionary law of 1978 giving the public a legal right of access to administrative records.

A number of significant measures could also be taken by the state governments without amending the legislation. One of the most serious problems of a Lokayukta in conducting his investigations is delay. When information is requested from the authorities, it is common for them to hold up an investigation through inordinate delay. In the case of allegations, this may be done wilfully out of fear, though considerable delay may be justified to ensure that all the documentation is complete. But in the case of grievances there is no reason why the period for reply should not be very short. In most cases this could be achieved by changes in the rules under the Act. In Maharashtra and Bihar, a more serious problem is created by the fact that the ombudsmen do not have their own investigative staff and must depend on the vigilance department or commission, which are not independent of the government and have no direct interest in a rapid disposition of the ombudsmen's cases. Governments in these states, as in UP, could approve the establishment of an investigation wing in the offices

of the ombudsmen without an amendment to the Act, as the ombudsmen have recommended.

Perhaps the most important action that the governments could take would be to alter the rules under the Act to separate the procedure for making an allegation from that for making a complaint, and to simplify the latter insofar as this is possible under the existing legislation. They could also support the grievance function of the ombudsmen's offices by recommending the appointment as Lokayuktas of persons who are not judges and therefore will not be hidebound by legalistic procedures, but who at the same time have a reputation for their political independence and public spirit. The governments could further support the ombudsmen's offices by laying their annual report before the legislature soon after receiving it, being more receptive to their recommendations rather than stifling debate on them, and especially by publicising their grievance services and giving them enough budget and staff to handle a large volume of complaints.

If the Acts were to be amended without a major overhaul of the plans, the main changes needed to make the grievance function workable would be to have both a Lokayukta and an Upalokayukta (or Upalokayuktas), but to divide their work by function rather than level. By that I mean, instead of making the Upalokayukta responsible for allegations and grievances against only lower officials, he should be made responsible only for grievance complaints, but at all levels The facts that the Act in Bihar does not provide for an Upalokayukta and that none has been appointed in UP indicate that the division by level is impracticable. In Maharashtra so many of the complaints are against lower officials that in practice the Lokayukta has had to take over much of the work of the Upalokayukta. The main objection to division by level is that under the parliamentary system the senior officials, both permanent and elected, are responsible for the actions of their underlings. Hence, unless there is wilful misconduct by an underling, complaints against lower officials cannot be treated separately from those against senior officials. The division between them is not as great as the division be ween allegations and grievances. Since allegations involve wilful misconduct, they require a much more formal procedure to ensure that the rights of the accused are protected. It is appropriate that the Lokayukta should be made solely responsible for these cases and that he should be a former judge. The handling of allegations is very time-consuming, but if this did not occupy the full time of the Lokayukta and his staff, he could be made responsible for a portion of the grievances such as those against particular departments, so that he would become an expert in that area of administration. This is the way in which the ombudsmen in Sweden divide their work, by areas of administrative activity. The Upalokayukta, who would be in charge of handling only grievances, should be an eminent fair-minded person who understands the problems of the citizens. He should

at the same time have some knowledge of administration, but need not necessarily be a former senior official

PROPOSALS FOR MAJOR OVERHAUL

Allegations of misconduct and corruption are so different from grievance complaints that they ought to be handled by an entirely different institution. Allegations require not only an independent institution to investigate them, but also strong powers of investigation, a formal legal procedure, definitive action regarding the accused, and some form of punishment in case of guilt. Upon realising that an independent authority was needed to fight corruption, the Administrative Reforms Commission was misguided in thinking that the ombudsman institution could be utilised to provide such an authority, mainly because an ombudsman's recommendations on a case are only advisory. He does not make binding determinations. This is so because the ombudsman deals mainly with cases in which maladministration is not wilful, and officials are quite willing to redress a grievance caused by faulty administration when it is pointed out to them. Also, an ombudsman with the power to make binding decisions would interfere with administration unduly by overruling officials who are more knowledgeable in their field

The commission's wedding of grievances and allegations was a quite unnatural one, even though both involve complaints from the public. Its draft bill, and the federal bills and state Lokayukta acts which were based on it, are full of unfortunate examples of where the two are regarded as identical. However, an advisory ombudsman is not a strong enough institution to fight corruption. The ombudsman institution leaves the government ultimately in control. The government has no deep fear of it, and this may explain why the proposals of the commission were at first taken up with considerable enthusiasm by the central government and were implemented by several state governments.

In addition to the inability of the Lokayuktas to make final determinations on cases, they are dependent for their investigations upon administrative agencies that are part of the administration they are supposed to be investigating. Where the vigilance commissions have not been abolished when the ombudsman offices were created, the result has been an overlap and confusion of their functions

What is needed then, in addition to an ombudsman plan, is a separate, independent, strong vigilance authority with its own investigative staff and the power to supervise the already-existing vigilance agencies, which are not independent enough from the executive arm. This authority should be set up under an entirely separate piece of legislation. Then the Lokayukta Acts could be overhauled to make the Lokayuktas responsible only for grievance complaints and to make the procedures less formal The Lokayukta

would have his own investigative staff and strong powers to investigate grievances, but any grievances he received that involved allegations of misconduct against specific officials would be transferred to the new anti-corruption authority. Since both would be independent of the government, they could be expected to cooperate.

These proposals are similar to those made by G. B. Sharma for the federal level,[11] and are much to be preferred to those made by R. K. Dhawan,[12] which would involve only separating the handling of allegations and grievances within a single institution. At the federal level, the 1977 bill bears so little resemblance to the ombudsman institution that an entirely separate scheme is needed for the handling of grievances. If the need for grievance machinery were thus to be considered separately from that for corruption machinery, there would be some hope for the adoption of adequate grievance schemes at both the state and federal levels in India, even if the governments were reluctant to create strong anti-corruption machinery.

There is little doubt that the need is great. In populous states modern administration has grown into such a vast jungle of officialdom that the poor citizen cannot hack his way through without help. Based on the experience of ombudsman plans elsewhere, G.B. Sharma has calculated that a fully effective ombudsman scheme at the federal level in India would receive at least 90,000 complaints a year and require a staff of 1800 to handle them.[13] An ombudsman scheme of such proportions is such unknown territory in the world that the central government would have no experience elsewhere to serve as a guide. Yet, if the existing state plans were to be overhauled in the way proposed, or new state plans were to be adopted along these lines, they would provide good examples of the way in which such a scheme would have to be adjusted to fit the conditions of a populous developing country.   □

[11]Girdhhar B. Sharma. *op. cit.*, pp. 188-199.
[12]*Ibid*, pp. 305-308.
[13]*Ibid*, pp. 122-123.

Hindu Concept of Ecology and the Environmental Crisis*

O. P. Dwivedi, B. N. Tiwari and
R. N. Tripathi

THE ROOTS of present ecological crisis as we face in the world today are due to man's unlimited desires, greed, ignorance, and the material-istic approaches to life. While these attitudes permeate in all cultures and religions, it is amazing to see a widespread hold of these factors on the followers and believers of the Hindu religion which has had such a rich tradition of respect and reverence for the nature, and for all God's creation. Is it because the religion as practised and preached nowadays has lost its appeal for the present generation? This generation appears to be either indifferent to the religion, or completely disillusioned with it, and even mistrustful of it. Consequently, the exhortations, ethical guidelines, and religious duties, particularly those which emphasise man's moral obligations not only to fellow-man but also to the rest of God's creation, are simply disregarded. The exploitation of the nature in India, mostly during the 20th century, has continued despite the religious injunctions emanating from Hindu religion, as well as from Buddhism and Jainism. This baffles us, specially when all the Hindu scriptures (*Vedas, Upnishads, Smritis,* and *Puranas*) have very clearly laid down the rationale for practising conserva-tion of the nature and maintaining environmental harmony, and have pres-cribed religious sanctions against any indiscriminate use of the nature and exploitation of animals or other species. This impelled us to undertake research on the Hindu concept of nature and the emergence of the present attitude of disregard and disrespect towards it. Analysing the writings of

sages and studying the original sources in Sanskrit, we provide a glimpse into the Hindu view of creation, examine what was said in those scriptures about protection of the nature, and sanctions against polluting the environment, discuss the background which led to the decay of those ideals and the emergence of environmental crisis in India, and finally conclude with an observation suggesting for the revival of Hindu Vedic spirit toward the eco-system.

HINDU VIEW OF THE CREATION

A glimpse into the Hindu view of creation may enable us to discern whether the man's exploitative approach to nature and its creatures is based on the ancient religious teachings or whether such a tendency which led to environmental decay grew later when basic beliefs and values of the religion, *Sanatan Dharma*, declined. In this section of our article, we also examine whether or not the Hindus believed in man-nature dualism leading to the view, akin to the traditional Judeo-Christian view, that God's creation was planned in every manner for man's use the way he saw fit, and for no other purpose; thus giving credit to the exploitative tendency of man. Our discussion of the creation is divided into two major parts : (1) various theories of creation, and (2) the five main elements and their relevance to the environment. (*See Chart I*).

Theories of Creation

A study of various Hindu scriptures reveals that several views have been expounded about the creation. The major sources are the two Vedas— *Rigveda* and *Yajurveda*; the three Upnishads—*Brihadaranyaka, Taittiriya,* and *Aitareya*; the epics such as *Mahabharata* and *Ramayana* and *Puranas*. Among these sources although different thoughts are discernible, all Hindu ancient scriptures agree about the non-dualism of the Supreme Being who existed before the process of creation—*sristi*—began. It seems that these different views might have come about due to the prevalence in ancient India the tradition of (unrecorded) oral—*shruti*—transfer of knowledge from a Guru to his disciples, and the preservation of that knowledge through memorization—*smriti*. Of course, over several centuries, it is not improbable that some scholars were unable to recall the exact wordings of those thousands of verses in proper sequence, and in the process added their own interpretations, made changes in the context, or displaced the entire segment of the original rendering.

The different theories of creation in Hindu religion emerged in essentially four stages : (*a*) Vedic era, (*b*) Upnishadic period, (*c*) Epics, and (*d*) Puranic period. In addition to these four main stages, description about the creation is also available in *Smritis*, and in the writings of such Sanskrit scholars as Kalidasa and Bhartrihari. Later on, such authors and social reformers

Chart I

HINDU THEORY OF CREATION

TRANSCENDENTAL· · ······· B R A H A M ······· PHENAMENAL

MOOL PRAKRITI
[TRINITY OF MATTER]

MAYA
[ILLUSION]

PURUSH
[TRINITY OF GOD]

SATVA   RAJ   TAMA

BRAHMA   VISHNU   MAHESH

HIRANYA GARBHA

SKY   AIR   FIRE   WATER   EARTH

PIND
PHYSICAL BODY

EYE   MIND   VOICE   SOUND
EAR   INTELLECT   HANDS   TOUCH
NOSE   EGO   FEET   FORM
TONGUE   ORGANS OF   ESSENCE
                           EXECRETION
SKIN   GENERATION   SMELL
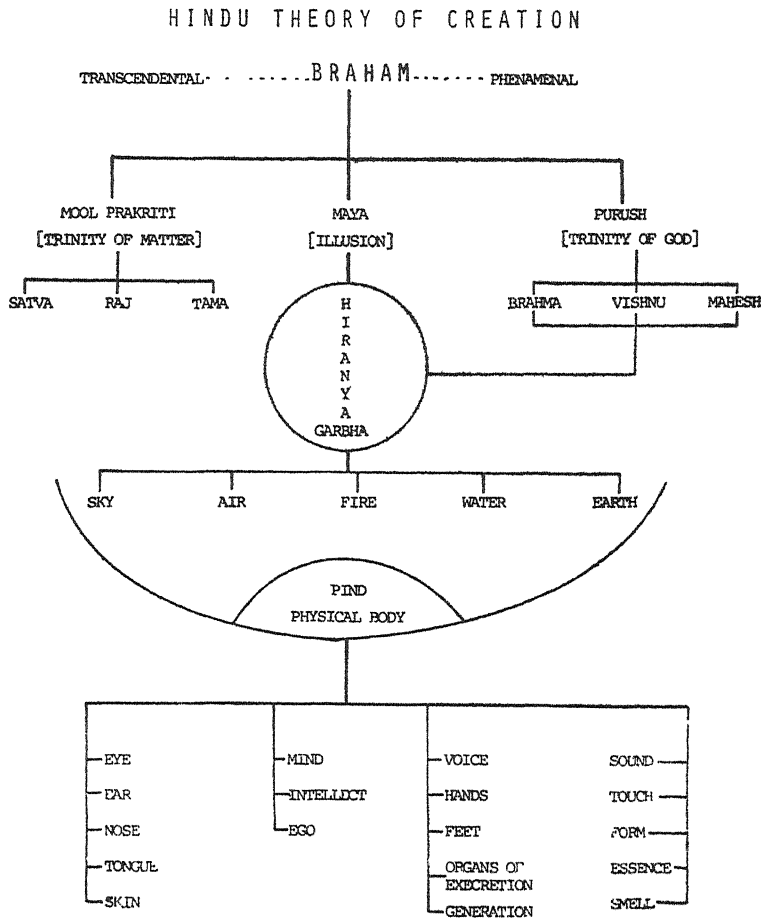
as Swami Ram Tirth, Ramkrishna Paramhans, Vivekanand, Swami Daya-
nand Saraswati, and Aurobindo have given their own interpretations of the
theory of creation drawing from the same ancient sources. In this article,
we shall be examining the four main sources only.

The Vedic Period : Among Vedas, the earliest descripion about the
theory of creation can be found in *Rigveda* where it is said that God trans-
formed the 'non-existent' (*Asat*) into the 'existent' (*Sat*). The following
verse exemplify the process of transformation:

There was not the non-existent nor the existent then;
there was not the air nor the heaven which is beyond.

What did it contain? In Whose protection?
Was there water, unfathomable, profound?[1]

The above mention is further strengthened by the following description, which is generally accepted by modern scholars as the key view of creation:

Darkness was in the beginning hidden by darkness;
indistinguishable, this all was water. That which,
coming into being, was covered with the void, that
one arose through the power of heat.[2]

The One who arose through the power of heat was the Supreme Being although that Reality is not identified here; it is spoken of as 'That One' (Tad-Ekam) in the neuter gender. That entity is beyond all opposite like being and non-being, death and life, night and day; and it cannot be characterised by us as either existent or non-existent. It is beyond time, beyond space, beyond age, beyond death and beyond immortality. One cannot express what it is except that it is. However, the desire to create came into the Reality:

Within it first arose desire, the primal germ of mind ;
which nothing with existence links, as sages searching find.[3]

From that desire (*Kama*) arose the *Manas-Purush* who has been described in Yajurveda as:
Purush, the Lord of final emancipation is in truth
the Creation of all that hath been and what it shall be; and

[1]*Rigveda.* Mandal 10, Sukta 129, Verse 1
नासदासीन्नो सदासीत्तदानीं
नासीद्रजो नो व्योमा परो यत् ।
किमावरीत : कुह कस्य शर्मन्न
म्रम्भ: किमासीद्ढहन गंभीरम् ॥

[2]*Ibid.* Verse 3.
तम श्रासीत्तमसा गूल्हमग्रे
ऽप्रकेतं सलिलं सर्वमा इदम् ।
तुक्केनाभ्वपिहितं यदासीत्
तपसस्तन्महिना जायतेकम् ॥

[3]*Ibid.*, Verse 4.
कामस्तदग्रे समवर्तताधि
मनसो रेत: प्रथमं यदासीत् ।
सतो बन्धुमसति निरविन्दन्
हृदि प्रतीष्या कवयो मनीषा ॥

what grows on earth.[4]

And the same desire created *Mul-Prakriti* (the matter). When these two interact with the help of *Maya* (material cause), the Supreme Being incarnates Himself in the form of Hiranyagarbha to fulfil a cosmic need. Rigveda says:

> Prior to the creation of the universe, the Hiranyagarbha (Golden Egg) was formed; he was considered to be the Lord of subsequent creation; and then he created earth and heaven. Consequently, who else we worship.[5]

The Hiranyagarbha, as the Creator, has been personified differently in Vedas and Upnishads depending upon the context. For example, in Yajurveda, the term *Prajapati* and *Vishwakarman* is used. In conceiving the metaphysical genesis of creation, *Hiranyagarbha* (also called cosmic mind) or *Visvakarman* is considered the great progenitor of the entire universe. The following verse illustrates:

> At the time of creation what was His basis? How and whence did He start creation, the great Visvakarman, the seer of all? How could He extend the sky above and the earth below? His eyes are everywhere, His face is everywhere, and He is of all hands and all feet. He, that one God, moves His hands and wings and creates the sky and the earth. What was that forest and what was that tree (material) out of which have been manufactured the earth and the sky? O wise ones, enquire into these in your mind and realise on what basis He created the universe?[6]

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[4] *Yajurveda*, Chapter XXXI, Verse 2.

पुरुष एवेदं सर्वं यद्भूतं यच्च भाव्यम् ।
उतामृतत्वस्येशानो यदन्नेनातिरोहति ॥

[5] *Rigveda*, Mandal 10, Sukta 121, Verse 1

हिरण्यगर्भः समवर्तताग्रे
भूतस्यजातः पतिरेक आसीत् ।
स दाधार पृथिवीं द्यामुतेमां ।
कस्मै देवाय हविषा विधेम ॥

[6] *Ibid.*, Sukta 81, Verses 2-4.

किं स्विद् आसिदधिष्ठानम्
आरम्भनम् कतमत्स्वित् कथासित् ।
यतो भूमिं जनयन् विश्वकर्मा
विद्याम् और्णोन् महिमा विश्वकक्षः ।2।

These questions encompass the destiny of the universe. The *Hiranyagarbha* (Golden Germ) becomes the Lord, the Lord of Being itself, the Father of all creation; and "it is his lordship that gives unity and harmony to the whole world."[7] This extensive discussion of the Vedic view of creation is further elaborated in Upnishads where the basic ideas regarding the origin remain the same but speculation about evolution and procreation is provided.

The Upnishadic View : In *Taittiriya* Upnishad, the course of evolution from *Brahma* (Hiranyagarbha), also called *Atman*, has been narrated in the following manner:

From this *Atman* space (Akasa) arose, from space, wind (*vayu*); from wind fire, from fire water; from water, the earth; from the earth, herbs; from herbs, food; from food, semen; from semen, the human-being (purusha)[8].

In this evolutionary process, herbs, who provide food, have been given a special place of respect, as mentioned in the following verse:

All the creatures which dwell on earth spring verily forth from food. Again, they live even by food; again, at last they return to the same plant kingdom; for food is the chief of all beings all creatures in the

(Continued from previous page)

विश्वतस्कक्षुरुता विश्वतोमुखो
        विश्वतो बहुरुता विश्वतस्यत् ।
मं बहुभ्यां धामति संपतत्लेर
        घावा भूमि जनयन देवा एका: ।3।
कि स्विद् वनां काठसा वृक्षा अस,
        यतो द्यावापृथिवी निष्टतक्षु :
मनीपिनों मनसा पृच्छतेद् उतद्
        यद् अध्यतिक्षद् भुवनानिधारयन् ।4।

[7]Rajmundu Panikkar, *Mantramanjari*, Berkeley, University of California Press, 197
p. 68.

[8]*Taittiriya Upnishad*, Brahmanand Valli, Anuvak 1.
सत्य ज्ञानमनन्तं ब्रह्म । यो वेद निहितं गुहायां परमे व्योमन् । सोश्नुते
मर्वान् कामान् सह ब्रह्मणा विपश्चितेति । तस्माद्वा एतस्मादात्मन् आकाश
सम्भूत: आकाशाद्वायु: । वायोरग्नि: । अग्नेराय: । अद्भ्य: पृथिवी ।
पृथिव्यां औषधय : । औषधीभ्योन्नम । अन्नात्पुरुष: । स एवाएष
पुरुषोन्नरसमय: ।

universe including human beings ; hence the food is called a panacea from which energy is gained.[9]

In *Brihadaranyaka* Upnishad, a systematic process of evolution is described whereby the Lord (Self) first transforms into a man and a woman, then cow and bull, mase and stallion, she-goat and he-goat, sheep and ram, and every other creatures in the universe. In the Fourth Brahmana of this Upnishad, the following verses illustrate the process of creation and evolution:

> In the beginning this was the Self alone, in the form of a Man. Looking around he saw nothing whatever except himself...[He was alone]. He found no joy; so even today, one who is all alone finds no joy. He yearned for a second. He became as large as a man and a woman locked in close embrace. He caused that self to split into two; hence arose a husband (*pati*) and a wife (*patni*)...He copulated with her and thence were born human beings...[Later when she acquired the form of several animals, he followed her, and] In this way, he created everything that exists in pair, down to the ants. He realized: "I indeed am creation, for I produced all this." Thence arose creation.[10]

From the above passage, the Upnishad clearly lays down the rule that no one single species is superior to another because all have been created by the same Self. On the other hand, the man is particularly obliged to be the

[9]*Taittiriya Upnishad*, Brahmanand Valli, Anuvak 2.

अन्नाद्वै प्रजाः प्रजायन्ते । याः काश्च पृथिवीं श्रिताः अथो
अन्नेनैव जीवन्ति । अथैनदपि यन्त्यन्ततः । अन्न ए हि भूतानां
ज्येष्ठम् । तस्मात्सर्वौषधमुच्यते । सर्वे नै तेऽन्नमान्पुवन्ति
येऽन्नं ब्रह्मोपासते । अन्नं हि भूतानां ज्येष्ठम् । तस्मात्
सर्वौषधमुच्यते । अन्नाद्भूतानि जायन्ते । जातान्यन्नेन्पु
वर्धन्ते । अद्यतेति च भूतानि । तस्मादन्नं तदुच्यत इति ।

[10]*Brihadaranyaka Upnishad*, Fourth Brahman, Verses 1, 3, 4, 5.

आत्मैवेदमग्न आसीत्पुरुषविधः, सोऽनुवीक्ष्य नात्यदात्मऽपश्यत् ।
सोऽहमस्मस्तीत्यग्रे व्याहरत्......।१।
स व नैव रेमे, तस्माद् एकाकी न रमते; स द्वितीयमैच्छत् । स हैतावानास
यथास्त्रीपुमासौ संपरिष्वक्तौ: स इदमेवात्मानं द्वैधायातयत्, ततः पतिश्च
पत्नी चाभवताम्... तां समभवत्, ततो मनुष्या अजायन्त ।३।
....एवमेव यदिदं किंच मिथुनम्, आ पिपीलिकाभ्यः,
तत्सर्वमसृजत् ।४।
सोऽवेत्, अहं वाव सृष्टिरस्मि, अहं ह्येवं सर्वमसृक्षीति,
ततः सृष्टिरभवत्, सृष्ट्यां ह्यास्यैतस्यां भवति च
एव वेद ।५।

protector and guardian of all the *Sristi*. This point is clearly emphasised in *Aitareya* Upnishad.

> In the beginning there was the Self alone—no other blinking thing whatever. He thought to himself, "Let me now create the worlds". He created the worlds of water (*ambhas*), rays of light (*marici*), death (*mara*), and the waters (*ap*). Heaven and beyond is the world of water; the sky above is the world of light; this earth of ours is the world of death; and what lies below is the world of waters. He thought [again] to himself : "Let me now create the protectors of the worlds". He raised a man from the waters and gave a form to him.[11]

The man, according to Upnishads, is not given an absolute right, authority, and dominion on any of the God's creation. The same emphasis is strengthened in the two ancient Hindu epics : *Mahabharata* and *Ramayana*.

The Creation in Gita and Epics : In *Bhagavadgita*, Lord Krishna says that He, the Lord, creates everything, and the cycle of creation continues until the end of a millennium (*Kalpa*) and then the process begins again:

> The whole cosmic order is under Me. By My will it is manifested again and again and by My will it is annihilated at the end [12]

However, the Lord says that any human being who does not perform his or her duty in a proper manner, takes birth in the animal kingdom[13]. And one must again elevate himself by the evolutionary process to achieve the highest form of life—the human body. The tenor of this is that one should be aware of the fact thats ome animals and birds may have been human

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[11]*Aitareya Upnishad*, Chapter 1, Kanda 1, Verses 1-3.

ॐआत्मा वा इदमेक एवाग्र आसीत् । नान्यत्किंचन
मिषत् । स ईक्षत लोकान्नु सृजा इति ॥ 1॥
स इमाल्लोकानसृजत । अम्भो मरीचिर्मरमापोऽदोऽम्भः परेषदिनं
द्यौ : प्रतिष्ठान्तरिक्ष मरीचयः पृथिवी मरो या अदास्ताःस्ताःआपः ॥ 2॥
स ईक्षतेमे नु लोका लोकपालान्नु सृजा इति सोद्धय
एव पुरुष समुद्धृत्यामूर्छयत् ॥ 3॥

[12]*Bhagavad Gita*, Chapter 9, Verse 8.

प्रकृतिं त्वामवष्टम्य विसृजामि पुनः पुनः ।
भूतग्राममिमं कृत्स्नमवशं प्रकृतेर्वशात् ॥

[13]*Ibid.*, Chapter 14, Verse 15.

रजसि प्रलय गत्वा कर्मसङ्झिषु जायते ।
तथा प्रलीनस्तमसि भूदयोनिषु जायते ॥

beings in their previous birth, consequently one should show proper respect to these species. While Bhagavadgita, does not describe in detail the creation and evolution, the *Mahabharata* does elaborate this aspect. Maharshi Vyasa, the narrator of *Mahabharata* has tried to put together the whole process of *Sristi* and beyond. In the *Moksha Dharma Parwa*, both God and the nature have been told to be the one and the same; and different elements or parts of the universe, as well as the various species, have been personified as a part of His body. The *Mahabharata* strengthens the Hindu theory of re-birth, and the elevation of man through various species. The same view is also purported in another great Hindu epic, *Ramayana* of Valmiki[14]. Both epics exhort human beings to live in harmony and peace with the nature and other species.

Puranic View : Among the 18 Puranas, a clear description of the Lord's creation can be found in *Srimad Bhagvata Mahapurana*. In Book II of this Purana, it is stated:

That unborn Primal Person Himself creates, protects and dissolves Himself [the creation] and by Himself, cycle after cycle.[15]

That Cosmic Being created all the five basic elements, *viz.*, ether, air, fire, water and the earth, as well as all the creatures. The same Puran tells us how the Lord incarnated Himself in various forms, such as the divine Boar (*Varah Avtar*) to lift the earth from the bottom of the ocean, the divine Fish (*Matsya Avatar*) to save the living beings, the divine Tortoise to give support to Mount Mandara which was used as a churning rod to create nectar as well as other objects, the form of Man-Lion (*Nrsimha Avatar*) to save Prahalad from Hiranyakasipu, and later as Rama, Krishna, and others. There will be the tenth incarnation in the form of *Kalki* when this present millennium will be over, and a new cycle will start. The story of God's incarnation, especially the first four incarnations, impels believers to show proper respect and regard to animals, and other creatures.

Other Puranas, such as *Brahma Puran, Narsingh Puran,* and *Vishnu Puran* substantiate the Vedic and Upnishadic concept of creation; but in addition, these Puranas also tell us that whenever there is a decline of righteousness from the earth, He incarnates Himself to save the creation, and re-starts the cycle. Various stories abound in Puranas about the protection of the nature and about the need to live in harmony and peace with God's creation.

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[14]For further elaboration, See Valmiki *Ramayana*, Book III, Chapter 14, Verses 7-9
[15]*Srimad Bhagavata Mahapurana*, Book II, Chapter VI, Verse 38.
स एष आद्य: पुरूष: कल्पे सृजत्यज : ।
आत्मास्त्मन्यात्मनास्त्मानं संयच्छति च पातिच ॥

The Five Elements

The preceding discussion about the theory of creation should be supplemented by a brief discussion about those elements which are the source of life to all the creatures. Hindu philosophers believed that *Sristi*—process of creation, uses the five basic elements to determine the physical characteristics of all creatures. These five elements are known as sky, water, fire, air and earth. Although the ancient scriptures differ as to which element was produced first, the general view is that it was sky that was formed first. For example, in *Taittiriya Upnishad*, it is said that out of *Prakriti*, God first created sky—*Akasha*, then air—*Vayu* (gaseous conditions of matter), then fire—*Agni* (which gives out heat or light or electricity), and then the earth—*Prithvi*.[16] On the other hand, the *Yajurveda* says that God created universe and afterwards he created the earth.[17] Yet in another Upnishad, *Chhandogya*, it is written that the Creation began with *Agni*—fire, while the *Aitareya* Upnishad says that it began with water. Then in *Mahabharata*, it is said that the first element to be created was the sky. While it may not be quite pertinent, in the context of our study, which of the elements was created first, there seems to be a general agreement about sky as the primordial element.

In creation, first the sky was formed. Then water was produced, which was instrumental in causing the birth of air. Thereafter, the fusion of air, water and sky produced fire. These four elements originate from the same source. When these four elements moved downwards, earth was produced. Later, these five elements caused the birth of *Sristi* (creation) and *Prakriti* (nature).[18]

Prakriti is composed of five basic elements, known as sky, water, fire, air and earth. When one combines *Man*, *Ahankar* and *Buddhi* along with these five elements, the eight together become basic components of the

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[16]*Taittiriya Upnishad*, Brahmanand Valli, Anuvak 1.

[17]*Yajurveda*, Chapter XXXI, Verse 5.

ततो विराडजायत विराजो अधि पूरुष : ।
स जातो अत्यरिच्यन् पश्चाद्भूमिमथोपुर: ॥

[18]*Mahabharat*, Mokshadharma Parva, Chapter 183, Verses 9, 10 and 12.

पुरास्तिमितमाकाशमनन्तमचलोपमम् ।
नष्टचन्द्रार्कपवनं प्रसुप्तमिव संबभौ । ॥
तत: सलिलमुत्पन्नं तमसीवापरं तम: ।
तस्माच्च सलिलोत्पीड़ादुदतिष्टत् मारुत: ॥
तथा सलिलसंरुद्धे नभसोऽन्ते निरन्तरे ।
भित्वारावितलं वायु: समुत्पतति घोषवान् ॥

human nature.[19]   However, as Hindus have a special reverence for the
earth among all basic elements, only it has the capability of bearing, akin
to mothers who bear children.   That is why Hindus call it:

Mata bhumih putroham prithivyam.
[The earth is our mother, and we are its children.]

This view is further substantiated in *Atharvaveda* where *Prithvi* has been
given a respected place in prayers.[20]

We pray to the Prithvi—(earth) which bears trees, plants and medicinal
herbs, and protects them.
Further, it is prayed in *Atharvaveda* :

The earth which possesses oceans, rivers, and other bodies of water,
and which gives us land to produce foodgrains and on which human
beings depend for their survival, continue to possess these for all of us.[21]

It is also said in *Mahabharata*:

All human beings acquire from Prithvi such characteristics as *Ras, Roop,
Gandh, Sparsh* and *Shabd*; hence our relationship to it is more eternal
and maternal as one acquires many attributes from his mother.[22]

[19] *Bhagavad Gita*, Chapter 7, Verse 4.
भूमिरापोऽनलो वायु: खं मनो बुद्धिरेव च ।
अहंकार इतीयं मे भिन्ना प्रकृतिरष्टधा ॥

[20] *Atharva Veda*, Kanda 12, Sukta 1 Verse 27.
यस्यां वृक्षा वानस्पत्या ध्रुवास्तिष्ठन्ति विश्वहा ।
पृथिवीं विश्वधायसं धनामच्छावदामसि ॥

[21] *Ibid.*, Verse 3.
यस्यां समुद्र उत सिन्धुरापो यस्यामन्न कृष्टय: संबभूव: ।
यस्यामिदं जिन्वति प्राणदेजन् सा नो भूमि: पूर्वपेयो दधातु ॥

[22] *Mahabharata*, Mokshadharma Parva, Chapter 184, Verses 27-29
गन्ध: स्पर्शो रसो रूपं
शब्दश्चात्र गुणा: स्मृता: ।
तस्य गन्धस्य वक्ष्यामि,
विस्तराभिहितान् गुणान् ॥
इष्टश्चानिष्ट गन्धश्च मधुर: कटुरेव च ।
निहारी संहत: स्निग्धो रुक्षो विशद एव च ॥
एवं नवविधो ज्ञेय: पार्थिवो गन्ध विस्तर: ।
ज्योति: पश्यति चक्षुर्भ्यां स्पर्शं वेत्ति च वायुना ॥

Such an example of reverence for mother earth is unparalleled in other cultures. Thus, Hindus are expected to show proper respect not only to mother earth but also adequate regard to all things which are produced by it. A sense of balance with nature and earth must be maintained by all Hindus. Hindus believe that earth so long as it is full of its products, trees, plants, and vegetation, is the source of life to human beings. While offering prayer to Goddess Durga it is said:

> So long as the earth has mountains, forests, trees, etc., human race will survive.[23]

Along with mother earth, the importance of other elements has been demonstrated. For example, regarding water, it is stated in *Mahabharata* that the Creator (Brahma) first produced water for the maintenance of life among human beings. That water enriches life and its absence destroys all creatures and plant life.[24] Further, water is also considered a deity by Hindus; and it is accorded the same status akin to Prithvi. For example, in *Rigveda*, prayer is offered to water.

> The waters in the sky, the water of the rivers, and waters in well whose source is ocean, may all these sacred waters protect me.[25]

It should be noted that Hindus consider water as a pious thing because it is needed in all religious ceremonies. It is also thought to be a source of energy as well as a powerful media for purification. Water is sprinkled. Thus, Hindus are enjoined from polluting any body of water.

[23] Devi Kavacham in *Durga Saptashati*, Verse 54.
यावद्भूमण्डलं धत्ते सशैलवनकाननम् ।
नावर्तिष्ठंति मेदिन्यां सन्ततिः पुत्रपौत्रिकी ॥

[24] *Mahabharata*, Mokshadharma Parva, Chapter 183, Verses 2-4.
प्रजाविसर्गं विविधं मानसो मनसाऽसृजत् ।
संरक्षणार्थं भूतानां सृष्टं प्रथमतो जलम् ॥
यत्प्राण : सर्वभूतानां वर्धन्ते येन च प्रजा: ।
परित्यक्ताश्च नश्यन्ति तेनेदं सर्वमावृतम् ॥
पृथिवी पर्वता मेघा मूर्तिमन्तश्च ये परे ।
सर्वं तद्धारणं ज्ञेयमापस्तस्तंभिरे यत: ॥

[25] *Rigbhasya Sangrah*, 14-7-44 (2).
या आपो दिव्या उत वा स्रवन्ति ।
खनित्रिमा उत वा या: स्वयंजा: ॥
समुद्रार्था या: शुचय: पावकास् ।
ता आणे देवीरिह मामवन्तु ॥

Another element which is also given a place of respect in Hindu religion is air. It is said in *Manusmriti*, that life of all creatures depends upon air.[26] Similarly, *Agni* (fire), as the third basic element, is given a place of reverence in Hindu religion. *Agni* is supposed to provide a link between Prakriti (nature) and the human beings. *Agni* is worshipped as a deity; and has been given a sacred place during religious ceremonies. In *Yajurveda*, Agni is prayed as:

O God, the Lord of Vows, I will observe the vow. May I have strength for that. Pray grant me success in the fulfilment of my vow. I take the vow of renouncing untruth and embracing truth.[27]

Finally, the fifth element, according to Hindu religion which is called (ether or sky) is also given a place of worship. It is the space from where the creation (*Sristi*) began. It is considered as one of the deities. It is a cause for the creation of air as well as fire. Indian thinkers obtained the know-ledge of the whole universe, movement of stars and planets from it. It is believed to be one of the gods who can bring peace, and can be the cause of welfare of the *Sristi*.

When one views these five basic elements in a metaphysical sense, one finds these are but one. For example, in *Mahabharata*, it is said:

The Father of all creatures, God, made the sky. From sky he made water and from water made fire (Agni) and air (Vayu). From fire and air, Prithvi (earth) came into existence. Mountains are His bones, Earth is the flesh, Sea is the blood, sky is his abdomen. Air is his breath, Agni is his Teja. rivers are nerves. The sun and moon which are called Agni and Som, are the eyes of Brahman. The upper part of the sky is His head, Prithvi (earth) is his feet and direction (Disha) are the hands.[28]

[26]*Manusmriti*, Chapter 3, Verse 77.
यथा वायुं समाश्रित्य सर्वे जीवन्तिजन्तवः ।
तथा गृहस्थमाश्रित्य वर्तन्ते सर्व आश्रमाः ॥

[27]*Yajurveda*, Chapter 1, Verse 5.
अग्ने व्रतपते व्रतं चरिष्यामि ।
तच्छकेयं तन्मे राध्यताम ।
इदमहमनृतात्सत्यमुपैमि ॥

[28]*Mahabharata*, Mokshadharma Parva, Chapter 182, Verses 14-19.
आकाशमिति विख्यातं सर्वभूतधरः प्रभुः ।
आकाशादभवद्वारि सलिलादग्निमारुतौ ।

Thereafter water appeared, which seems to have given rise to another layer of darkness in the space. Afterwards, the speed of water gave rise to air. Thus space became overflooded which forced air to move towards the earth. These four elements were then subsumed by the earth. Hence in a metaphysical sense not only all basic elements are the same, but even the source of all creatures and plant kingdom is the same; hence no one species has an absolute power over another; although there does exist a balanced and respectful relationship between all the species.

The discussion in the preceding paras proves that for ancient Hindus, both God and *Prakriti* (nature) was to be one and the same. In *Rigveda*, the *Prajapati* is denoted as the creator in the form of *Hiranyagarbha* who creates sky, the earth, and later all other creatures on this earth. He is the protector, creator, as well as the destroyer; and thus he becomes the Supreme Lord of the Creation. Thus, the man has no special privilege and authority compared to other creatures, on the other hand, more obligations and duties have been imposed on the man. Hindus, contrary to religions of the West, have been worshipping the nature and paying homage to it regularly. They have, since ancient times, not believed in dualism (*Dvaitvada*) between the *Prakriti* (nature) and the *Purush* (Superior-being); on the other hand, they believed in the unification (*Advaitvada*) of Nature and God. Both *Purush* and *Prakriti* are as much part of the organic unity of the human-nature, as the world as a whole, each revealed to the other by means of its intrinsic feature. Man, according to all ancient scriptures, cannot command, or demand dominion over other creatures. He is forbidden from exploiting the nature. He is advised to seek peace and live in harmony with the nature, as exemplified by the following verse of *Yajurveda*:

May there be peace in the celestrial region, may there be peace in the atmosphere, may peace reign on earth, may the waters be soothing, may

(Continued from previous page)

अग्निमारुत सयोगात्तत. समभवन्मही ॥
नतस्तेजोमयं दिव्यं पद्मं सृष्टं स्वयंभुवा ।
तस्मात्पदमात्समभवद्ब्रह्मा वेदमयो निधि: ॥
शैलास्तस्यास्थि संज्ञास्तु मे दो मांसं च मेदिनी ।
समुद्रास्तस्य रुधिरमाकाश मुदरं तथा ॥
पवनश्चैव निःश्वासर तेजोऽग्निर्निम्नगा: शिरा: ।
अग्नीवोभौ तु चन्द्राकौ नयने तस्य विश्रुते ॥
नभश्चोर्ध्वं शिरस्तस्य क्षिति: पादौ भुजौ दिश: ।
दुर्विज्ञेयो ह्याचिन्त्यात्मा सिद्धैरपि न संशय: ॥

the medicinal herbs be healing, may the plants be the source of peace to all...[29]

According to Hindu religion, human beings cannot separate themselves from their natural surroundings. Hence their attitude towards other creatures (*e.g.*, animals and birds), as well as towards plant life must be paternalistic and kind. As all are created by the same Creator, and as no one has been bestowed the authority over another species, Hindus have not only kept animals and birds in their homes, but they even worship some of them. While the most revered and respected animal is a cow, but a rat (as carrier of Ganesh), an owl (as carrier of Goddess Lakshmi) and others have been respectfully mentioned in Vedas, Puranas, and other Hindu scriptures. *Ahinsa Paramo Dharmah* has been the motto of Hindu religion and the same has been advocated by the later religions like Buddhism, Jainismtc.

In this part of the article, we first-examine why Hindus are supposed to pay respect to and protect trees, plants, animals, and birds, and then what consequences will befall if anyone pollutes the environment.

Protection and Respect to Animals and Trees

Hindu view of nature and ecology is enormously affected by the theory of creation as enumerated in those sources of religion which have been discussed earlier. Accepting that every element, object and creature of the universe is created by the same Supreme Being, but without the dominion of man on the nature, such respect for nature has roots in three basic elements—faith in God, non-dualistic view of Purush and Prakriti and a set of rules for duties and worship.

Vedas, Upnishads, Puranas and other books of Hindu religion give a detailed description of trees, plants and other vegetation; and the importance of trees, their plantation, nourishment and preservation and their benefits to the community has been enumerated in various scriptures. Clearly mentioned that for the welfare of human beings and also for other creatures, trees and plants were very essential. In *Mahabharata*, it is said that

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[29] *Yajurveda.* Chapter XXXVI, Verse 17.

द्यौः शान्तिरन्तरिक्षं शान्ति.

पृथिवी शान्तिरापः शान्तिरोषधय. शान्ति: ।

वनस्पतयः शान्ति विश्वे देवाः शान्तिर्ब्रह्म

शान्ति: सर्वं शान्ति:

शान्तिरेव शान्ति: मा मा शान्तिरेधि ॥

in a village even if there is only one tree full of flowers and fruits, that becomes worthy of worship and respect.[30]

Trees have been considered as an essential part of human dwellings. As mentioned by H. W. Wilson, ''They (Hindus) were very careful observers both of the internal and external property of plants and furnished, copious lists of the vegetable world, with sensible notices of their uses, and names significant of their peculiarities.''[31] Such significance of human life further stated in *Varah Puran* which advocates for regular plantation (*Vriksharopan*) as a source of achieving the *Swarga* (heaven) as follows:

> One who plants one *Peepal*, one *Neem*, one *Bar*, ten flowering plants or creepers, two Pomegranates, two orange and five mango trees, does not go to hell.[32]

Most of the trees have not only been considered as the part of God's creation but some of them are acknowledged to be the abode of Gods and Goddesses. For example, *Peepal* tree is considered as superior in *Skandha Puran*.[33] In the same Puran, it is said that God-Hari is present in almost all the trees in different forms and shapes. By paying respect to these trees, Kamala (Goddess of wealth) is pleased who is capable to free us from all the miseries.[34]

Tulsi plant is worshipped in Hindu families mostly by ladies as it is considered sacred, prolongs their married life, and full of medicinal properties. It is also believed that messengers of *Yama* (death God) do not

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[30]*Mahabharat*, Adiparva, Chapter 138, Verse 25.
एक वृक्षो हि यो ग्रामे भवेत् पर्णफलान्वित: ।
चैत्योभवति निश्शीतिरर्चनीय मुपूजित: ॥

[31]H. W Wilson, *History of India*. Vol. II, p. 97.

[32] *Varahpurana*, Chapter 172, Verse 39
अश्वत्थमेकं पिचुमिन्दमेक न्यग्रोध
मेकं दश पुष्पजाती: ।
द्वे द्वे तथा दाड़िममातुलुड्गे
पञ्चाम्ररोपी नरकं न याति ॥

[33] *Skandha Puran*, Chapter 189, Verse 65.
वृक्षाणांनयथाश्वस्थो देवतानां यथा हरि. ।

[34]*Ibid*, Chapter XVII, Verse 19.
एको हरि: सकल वृक्षगतो विभाति
नानारसेन परिभावितमूर्तिरेव ।
वृक्षादिवासमगमत्कमला च देवी
दु:खादि नाशनकरी सततं स्मृतापि ॥

enter the house where *Tulsi* plant is worshipped everyday. Hindu ladies offer their oblations and prayers everyday, particularly in the month of *Kartik*.[35]

Trees like Banana, Mango, *Tulsi, Vat, Peepal, Aonla, Bilva*, etc., their fruits, flowers and leaves are used in the religious activities, worship, and *sanskaras* of Hindus. Almost all the sixteen *sanskaras* from birth to death are performed with the help of different type of plants and their produce. Not only *Tulsi* and *Peepal, Bilva* tree and its leaves, Mango and Banana leaves, mangowood, *Kusha* grass, etc., are essential to perform *yajans* in a Hindu family. Worship of Lord Shiva is not considered complete without offering *Bilva* leaves, fruit of *Dhatura* and flowers of *Madar*. That is why in *Skand Puran*, it is said:

At the time of creation, I (The Lord) have been present in all trees and plants; but Goddess Parvati lives in *Bilva* and Goddess Lakshmi in *Tulsi*.[36]

Many natural products are mixed and used for offerings in fire-*yajans* and their incense is treated to be very useful to purify the atmosphere. Palas, Shami, Peepal, Bar, Gooler, Mango, Bilva, Kasturi, Keshar, Sandal and many other natural products are used for this purpose. This exemplifies the inherent respectful attitude of Hindus toward plants and trees. It is because of this importance of trees for human welfare, that various trees and plants are not only worshipped among Hindus but cutting green trees or causing undue harm has also been prevented; and punishment has been prescribed. For example in *Skanda Puran*, a long list of trees is given which should not be cut.[37] Further, in *Srimad Bhagavata Mahapuran*, it is clearly stated that a man who:

With exclusive devotion offers respect to the sky, water, earth, heavenly bodies, living beings, cardinal points, trees, and the like, rivers and seas

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[35]*Skanda Puran*, Chapter XXI, Verse 66.
तुलसीयस्यभवने प्रत्यहं परिपूज्यते ।
तद्गृहंनोपसर्पन्ति कदाचिद्यमकिंकुरा: ॥

[36]*Ibid.* Chapter XV, Verse 21.
पार्वती बिल्ववृक्षस्थां लक्ष्मी च तुलसीगताम् ।
श्रादौ सर्ववृक्षमयं पूर्वविश्वमजायत ॥

[37]*Ibid*, see Chapters XIV, XV, XVI, and XVII for detailed description.

and all created beings, and   considers them as a part of the body of the
Lord...attains the state of Supreme peace and God's grace.[38]

To Hindus. love and respect for the nature and   animals is not that of
dominion and subjugation.   It is a reverent relationship between him
and the nature, all animals and birds.   There are various stories regarding
the peaceful co-existence of beasts and other animals in *Rishis Ashramas*.
Also, the worship of a cow in Hindu family has been a traditional feature
For example, in *Briddha Smriti*, it is said:

Only he can be called a Hindu who is distressed by violence. always
ready to follow the path of righteousness. and who respects Vedas. cows
and deities.[39]

A wounded animal or a bird should be given shelter and cared for like an
ailing human being.   It is said that poet Valmiki had the inspiration of
writing poems when he saw a wounded (Kraunch) bird.[40]   In addition to
caring and feeding, killing of birds and animals was strictly prohibited by
ancient Hindu scriptures.   In *Yajurveda*, it is said:

No person should kill animals helpful to all and by serving them should
obtain happiness.[41]

Further, in *Narsingha Puran*, it is said that roasting a bird for the purpose

[38]*Srimad Bhagavata Mahapurana*, Book XI, Discourse II, Verses 41 and 43

रवं वायुमग्नि सलिलं मही च
ज्योतींगि मत्वानि दिशो द्रुमादीन ।
सरित्ममुद्राश्च हरे. शरीरं
यत्किञ्चभूतं प्रणमेदनन्य. ॥
उत्यच्युनाङ्घ्रि भजतोनुवृत्या भक्तिविरक्तिभगत्त्रबोध. ।
भवन्ति वे भागवनस्य राजंस्तान: पग शान्तिमुपैन्ति गाक्षात् ॥

[39]*Briddha Smriti*, quoted in *Kalyan*, Sanskriti-ank, 1961, p. 75.
हिंसया दूयने यश्च सदाचरण तत्पर: ।
वेद गो प्रतिमा सेवी स हिन्दु मु रणब्द भाक् ॥

[40]Valmiki *Ramayana*, Chapter 2, Verse 15.
मा निषाद प्रतिष्ठां त्वमगम : शाश्वत: मम. ।
यत् क्रौञ्चमिथुनादेकमवधी: काम मोहितम् ॥

[41]*Yajurveda*, Chapter XIII, Verse 47.
श्मं मा हिंसीर्द्विपादं पशुस्महस्राक्षो मेधायचीयमान: ।
मयु पशुं मेधमग्ने जपस्व तेन चिन्वानस्तन्वो निषीद ।
मयुते शुगृच्छतु य द्विष्मस्तं ते शुगृच्छतु ।

of eating was sinful.

> O wicked man! if you roasted a bird then your bathing in sacred rivers, pilgrimage, worship and *yajans* are useless.[42]

Elephant is revered in India for its mobility, grace, strength and wisdom. The horse is held to be the noblest of all creatures, and while elephant is worshipped as a symbol of God Ganesh; horses are also revered as the carrier of God Sun, fish is used symbolically as the emblem of the Love-God, and monkeys as the symbol of Hanuman. Serpents, as a girdle in the neck of Lord Shiva, are treated as a symbol of cosmic energy. In Hindu mythology, many birds and animals have been mentioned as vehicles of Gods. The wild goose is associated with Brahma, elephant as the carrier of Indra, bull as Nandi of Shiva, rat as the vehicle of Ganesh, peacock as the mount of Goddess Saraswati, and lion for Goddess Durga; they all are highly respected in Hindu society. Although cow has been accorded a special place of reverence in Hindu mythology and tradition, other animals and birds have been given equal respect and protection. As a matter of fact, one of the Hindu deities, God Dattatreya, can be considered as the patron-saint of ecology-environment. It is the God Dattatreya who personifies the Hindu Trinity—Brahma the Creator, Vishnu the Protector and Shiva the Destroyer—and who has been considered the protector and guardian of all God's creation. *As such, we the authors would like to suggest that God Dattatreya be acknowledged as the deity and protector of the environment.*

Consequences for Polluting the Environment

With respect to controlling pollution, our ancient texts mention the problem vividly. For example, in *Vishnu Smriti*, the nature's role in controlling the pollution and crisis in the environment is elaborated. It says:

> Pollution which comes from the animals and human beings is cured by moon, sun and air. The water polluted on roads and touched by dogs and crows, could be cured by air, same way construction of bricks could be purified by the air. Not only this but people who are polluted, their body is cured by soil and water. If the water of the well has become dirty, it could be cured by burning fire. Same way water of ponds could

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[42]*Narsingha Purana*, Chapter XIII, Verse 44.

पक्षी दग्धः सुदुर्बुद्धे पापात्मन् साम्प्रतं वृथा ।
वृथाम्नानं वृथा तीर्थं वृथा जप्तं वृथा हुतम् ॥

also be purified by burning of fire.[40]

In ancient India expertise developed to determine the kind of pollution and the remedy to get rid of. For example, *Charka Sanhita* mentions the cure of diseases by naturopathy. Even preventive cure based on naturopathy was devised. The book states:

It seems that all stars, planets, moon, sun, air, Agni and nature or directions have been polluted. Seasons also appear to work against the nature. Prithvi in spite of being full of its virtue has lost its *ras* in all medicinal plants. Medicinal plants are without original qualities and have been polluted. When such pollution will occur human beings will suffer from diseases. Due to pollution of seasons, several types of diseases will crop up and they will ruin the country. Therefore, collect the medicinal plants before the beginning of terrible diseases and change in the nature of Prithvi.[41]

[40] *Vishnusmriti*, Chapter XXIII, Verses 38-46

पर्क्षदग्ध गवा घातमवधूतमवक्षुतम् ।
दर्पित केणर्कीटैश्च मृत्प्रक्षेपेण शुध्यति ॥ 38 ॥
यावन्नापैत्यमेध्याक्ताद गन्धो लेपश्च तत्कृत: ।
नावन्मृद्वाग्नि देय स्यात् सर्वासु द्रव्यशुद्धिषु ॥ 39 ॥
अजाश्व मुखतो मेध्यं न गौर्न नरजा मला: ।
पन्थानश्च विशुध्यन्ति गोमसूर्याशुमारुतैः ॥ 40 ॥
रथ्या कर्दम तो यानि स्पृष्टान्यन्त्यश्ववायसैः ।
मारुतेनैव शुध्यन्ति पक्वप्टकचितानि च ॥ 41 ॥
प्राणिनामध सर्वेषां भूम्भिदरभिदश्च कारयेत् ॥
अन्यत्लोपहनाना च शौचं नित्यमतन्द्रितम् ॥ 42 ॥
भूमिष्ठमुदक पुण्यं वैतृष्ण्यं यत्र गोर्भवेत् ।
अव्याप्तं चेदमेध्येन तद्वैव शिलागतम् ॥ 43 ॥
वन्हि प्रज्वालन कुर्यात् कूपे पववेष्टकाचिते ।
पञ्चगव्य न्यसेत् पश्चान्न्वतोयसमुद्भवे ॥ 45 ॥
जलाशयेष्वथाल्पेषु स्थावरेषु वसुंधरे ।
कूपवत् कथिता, शुद्धिर्महत्सु च न दूषणाम् ॥ 46 ॥

[41] *Charak Sanhita*, Viman Sthan, Chapter 3, para 2.
दृष्यन्तेहिरवलुसौम्य ! नक्षत्रग्रहचन्द्रसूर्यानिलानलानादिशाञ्च
प्रकृति भूता ऋतुषु वैकारिका भावा अचिरादिनो भूरपिचनय-
थावद्रम वीर्य विपाकप्रभावमोषधीनांप्रति विद्यास्यति । तद्वियोगाच्चात
प्रायत्तानियता । तस्मात्प्रागुढ्हंसात् प्रावचभूर्मेविरसीभावादुद्धरसौम्य
भैषण्यानि, यावन्नोपहत रसवीर्य्यविपाक प्रभावाणि । वयंचैषांरस
वीर्य्यविपाक प्रभावानुपदेश्यामहे, येचास्मानुनुकाङ्क्षन्ति,
याश्चवयमनुकाक्षाम: ।

When Charak said about *Vikriti* (pollution) and diseases, he, wanted people to be alert from side-effects of seasons, and foul air and water, etc. Air seems to be the main cause of pollution as it creates so many diseases. Charak says·

The polluted air is mixed with bad elements. The air which is against the virtues of season, with full of moisture, speedy, hard, icycool, hot, dry, harmful, terribly roaring, colliding from two or three sides, bad-smelling, oily, full of dirt, smoke, sand and steam creates diseases in body and is polluted.[15]

Vedavyas, the author of *Mahabharata* had a much clearer concept of pollution and the diseases which occur due to it. He divides the diseases into two types. The first type of diseases are related with mind and the other is physical. According to him *Pitta, Vata* and *Cough*, which originate due to natural effects, are the main cause of diseases and if these three are properly balanced no trouble occurs

From pollution two types of diseases occur in human beings. The first which is related with body and the other with the mind and both are interrelated. One follows the other and none exists without another. Sometimes physical disease creates the mental disease and *vice versa*. Cool, warm, and air—these are the three virtues of the body. They are called *Cough, Pitta,* and *Vata*. When they are balanced in body it is free from diseases.[46]

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[15]*Charak Sanhita Op. cit.*, paragraph 6

तत्रवातमेवं विधममारोग्य करंविद्यात् । तद्यथा-ऋतु विपममति-
स्तिमितमति चलमति परुषमतिशीतमत्युष्णामतिरूक्षमत्यभिष्यन्दिन-
मितभरवारावमतिप्रतिहृत परस्पर गतिमति कुण्डलिनममान्त्य गन्ध-
वाण्यसिकतापांशुधूमांपहृतमिति ।

[46]*Mahabharat*, Rajdharmanushasan Parva, Chapter XVI, Verses 8-11.

द्विविधो जायते व्याधि: शारीरो मानसस्तथा ।
परस्परं तयोर्जन्म निर्द्वन्दं नोपालभ्यते ॥
शारीराज्जायते व्याधिर्मानसो नात्र संशय: ।
मानसाज्जायते वापि शारीर इति निश्चय: ॥
शारीरं मानसं दुःखं
योऽस्नीतमनुशोचति ।
दुःखेन नमते दुःखं
द्वावनर्थो च विन्दति ॥
शीतोष्णे चैव वायुश्च त्रय: शारीरजा गुणा: ।
तेषां गुणानां साम्यं यत्तदाहृ: स्वस्थलक्षणम् ॥

Similarly, the polluted air also, leads to virus diseases because with the help of air, germs are conveyed from one to another. That is why Manu warns the people not to take a rotten food which may cause diseases :

No one should take rotten food as it may have the germs of diseases.[47]

The topic of pollution has also been discussed in Upnishads. In *Svetaswatar Upnishad*, balance of five elements or fivefold qualities, have been considered essential for survival of the body. It says:

When in Yogis body—composed of earth, water, light, air, and ether—the fivefold qualities, which mark concentration, are manifest, then, there is no disease or age or pain for him who has obtained the body burning with the fire of concentration.[48]

Taittiriya Upnishad proceeds even further to prescribe the morals and ethics of conduct for welfare. It says:

One should not cause urine and latrine in water, should not spit in water and should not take bath without clothes.[19]

In brief, Hindus accepted the nature as a Goddess. That is why plants and trees, their fruits, flowers, and leaves are used in the religious activities. Not only flora but earth, mountains, rivers, air, sky, fire, etc., are also worshipped by them. All the sixteen *Sanskaras* from birth to death are performed with the help of different types of natural products and substances.

[17]*Manusmriti*, Chapter 2, Verse 56.
नोच्छिष्टं कस्यचिद् द्याब्राब्राच्चैव तथान्तरा ।

[48]*Svetasvatar Upnishad*, Chapter II, Verse 12.
पृथ्व्याप्यतेजोऽनिलखे समुत्थिते
     पंचात्मके योगगुणे प्रवृत्ते ।
न तस्य रोगो न जरा न मृत्युः
     प्राप्तस्य योगाग्निमयं शरीरम ॥

[19]*Taittiriya Aranyak*, V, Verse 101.
नाप्सु मूत्र पुरीषं कुर्यात्,
न निष्टीवेत्, नवि वसनः स्नायात् ।

ENVIRONMENTAL PROTECTION IN ANCIENT INDIA : EXHORTATIONS
EDICTS AND DUTIES

Hindu thinkers were very strict to a person who caused pollution. For such unsocial activities, punishment was also prescribed. In Kautilya *Arthashastra*, punishments prescribed show that the Hindu society did not even consider it proper to throw the dust on a public path. The civic sanitation had been the main consideration in those days, the author wrote:

> Punishment of one eighth pan (a coin) should be awarded to those who throw dust on the roads. For muddy water one fourth pan, if both are thrown the punishment should be double. If latrine is thrown or caused near a temple, well or pond, sacred place or Government building, then the punishment should increase gradually by one pan in each case. For urine, the punishment should be only half.[50]

In addition to the above list, including unsanitary activities for which adequate punishment was prescribed in Kautilya's *Arthashastra*, other Hindu scriptures also prohibited killing of animals which was considered a great sin. In *Yagyavalkya* Smriti, it is said :

> The wicked person who kills animals, which are protected has to live in Ghor Narak (hell-fire) for the days equal to the number of hairs on the body of that animal.[51]

The great Hindu political theoretician, Acharya Chanakya, has prescribed various punishments for killing of animals, birds, fishes and deers, etc., in his authoritative book *Kautilya Arthashastra* which shows the attitude of Hindu administration towards all creatures:

> The officer incharge should punish by one thousand pan (coins) those who are found guilty for killing deers, animals, birds and fishes declared not to be killed by the king. Those who kill fishes and birds, who do not attack, the killer would be punished by quarter to twenty-seven pan.

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[50]*Kautilya Arthashastra*, Nagrik Pranidhi, 56 : 36 : 56.
पांसुन्यासे रथ्यायामष्टभागो दण्ड: । पंकोदक सन्निरोध
पदि: । राजमार्ग द्विगुण: । पुण्यस्थानोदक स्थान
देवगृह राज परिग्रहेषु पणोवरा विष्ठादण्डा: ।
मूत्रेष्वर्धं दण्डा: ।

[51]*Yajyavalkya Smriti*, Acharadhyah. Verse 180.
वसेत्स नरके घोरे दिनानि पशुरोमभि: ।
संमितानि दुराचारो यो हन्त्यविधिना पशून् ॥

In case of deer and animals, it should be double.   And so on, animals and birds that are caught alive will not cause any punishment to be awarded[52]

Afterwards, similar prohibitions were announced by other Hindu kings. For example, the king Ashoka in pillar edict expressed his view point about the welfare of creatures in his state.   He prescribed various financial punishments for killing of animals which includes even ants, squirrels and rats as well.

Thus says king Priyadarshi—Having been consecrated 26 years, I made the following creatures exempt from slaughter—namely, parrot, starlings, robins, ruddy geese, swans, nandimukhas, waterfowls, bats, ants living in mango trees, small tortoises and frogs, porcuping hares and rabbits, squirrels, deer, bulls, animal seeking for their food in houses, monkeys, mice, cats, rhinoceroses, grey pigeons, village doves and all four-footed animals, pregnant and in milk shegoats, ewes and sows which have attained 6 months of age. Husk should not be set on fire. Forests should not be set on fire too; no fish is to be killed on full moon days. On the very same day, in elephant forests and fish preserves of fisher-men, other various varieties of animals also are not to be killed.   On these and all auspicious days no bull is to be castrated, nor may any hegrams and beers.   No branding of horses and oxen should be on the Tisya and Punarvasu days.   Up till now, having been twenty-six years, I have ordered for twenty-five jail deliveries, *i.e.*, granting of freedom from imprisonment.[53]

[52]*Kautilya Arthashastra*, Nagrik Pranidhi, 56 : 36 : 56.

सूनाध्यक्ष: प्रतिष्टामत्तानाम भयवनवासिन: च मृग पशु पक्षिमत्यानां
बन्धवध हिंसायामुत्तम दण्ड कारयेत् । अप्रवत्त वधानां मत्स्यपक्षिणां
बन्धवध हिमायाम् पादोनसप्त विशाति पणगत्वयं कुर्यात्। मृगपशुनां
द्विगुणाम् । इत्यादि । पक्षिमृगाणां जीवत्पडभागममयवनेपु प्रभुचेत् ।

[53]Ashokan Inscription, Pillar Edict VII, Radha Govinda Basak, 1959.

देवाना प्रिय. (देवप्रिय:) प्रियदर्शी राज एवं ब्राह़ :—
पड़विणयतनणिमिपिदत्तन मया इमानि जातानि अवध्यानि व—तानि,
तदयथा—शुक्र रारिका (शारिका वाणि, अरूण:, चक्रवात:, हंस,ननदीमुख:
गराट: (गौगटिका, गोरङ्क:), जतुका (जतुका वा), अम्बापिपीं-
अम्बपिपीलिका,
दुडि: (लि:), अनश्चियक-मडुत्स्य:, वदवेयक:) (, गंगापूपुटक :),
शङ्कोत: (शंकोचि: वा शडकित्त:), कमल-शल्लको, पणशश: सूमर:,
पण्डक:, अोक-पिण्ड: ,पलाशाद : , श्वेतक पोत : , ग्रामकपोत:,सूमर:,
पण्डक:, अोक: पिण्ड:, पलाशाद:, श्वतक पोत:, ग्रामकपोत:, सर्वे:

Again, in *Yagyavalkya Smriti*, it was said that cutting trees or forests was a punishable offence and a punishment for twenty to eighty pan (old coin) was also prescribed. It was stated:

> If a person cuts the branches of the trees full of green leaves, stem or the whole of it and if that is not the source of his livelihood, he should be punished for twenty, forty or eighty pans.[54]

Flora and fauna of a country has a direct relation with the well being of a nation or society. Hindu society had been very much aware of this fact. They knew that indiscriminate destruction of plants and trees would result in diseases and pollution in the nature. Some of the plants and trees were well-known for their medicinal value; that is why in many traditional Hindu families one would find the *Tulsi* plant inside the house, and a *Neem* tree outside the house.

In *Charak Sanhita*, destruction of forests was treated to be the cause of ruining the state and it was stated:

> The destruction of forests is most dangerous for the nation and human beings. Vanaspati has direct relationship with the well being of the society. Due to the pollution of natural environment and the destruction of Vanaspati, many diseases crop up to ruin the nation. Only then

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(Continued from previous page)

चतुष्पदः प्रतिभोगं न एति न च खाद्यते । अजका का एडका सूकरी गर्भिणी वा पाययन्ती 'पयस्विनी इत्यर्थः) वा अवध्याः, पोतकः अजपपप च में अ्वाण्मासिकः ।वधिकुक्कुटः न कर्त्तव्याः । तृप : सजीव : न क्षापयितव्याः (दाह्यितव्याः) दावः अनर्थाय वा विहिंसाये वा न क्षापयितव्याः (दाह्यितव्याः) जीवन जीवः न पोपितव्य : (तिसृपु चातुर्मासीपु तिथ्य पौर्णिमारयं, त्रीणि दिवसानि——चतुर्दशी पंचदशी प्रतिपत् (एतामु तिथिपु इत्यर्थः) ध्रुवं च अनूपवस्थं '(अनुपोपितं वा) मत्स्यः अवध्यः न चापि विक्रतव्याः । एतानि एव दिवसानि नागबन, कवर्त्तभोग (कवर्तपोग) य अन्यम्रपि जीविनिकायः, (ते) न हन्तव्या अष्टीपक्षे । (प्रतिपक्ष अष्टम्याः) चतुर्दश्या पंचदश्यां तिथ्यायां पुनर्वसौ, तिसुषु चातुर्मासीषु, सुदिवसे गौः न लिखितव्याः । अजकः एडकः म्क्रूरः यः वा अपि अन्यः निलक्ष्यतत (सः) न लिखितव्य : , तिथ्य (तिथ्यायां वा) पुर्वसो, चतमास्यां, चतमासीपक्ष अस्वस्य गो : (च) लक्षणं न कर्त्तव्यम् । यावत् पौतिंशति वर्षाभिषिकतेनमयां एतरिमन अन्तरिक अन्तरे वा (पंचविंशतिः वन्धनमोक्ष : वृत्ता:

[54]*Yajyavalkya Smriti*, Vyavaharadhyayah, Verse 227.
प्ररोहिशाखिना शाखास्कन्धसर्ववविदारणे ।
उपजीव्य द्रुमाणां च विशते द्विगुणो दमः ॥

Vanaspati with medicinal quality may enhance the nature and cure diseases of human beings.[5]

These statements are further substantiated in many ancient scriptures such as *Vedas*, *Mahabharata*, *Ramayana*, and various *Smritis*. These sacred books are full of examples which prove the Hindu alertness against the pollution and environmental crisis. The available literature of this period, dating back to 500 BC, is full of such material. One may find a detailed, and scientific description of planets, earth, the nature, creatures, flora and fauna, causes of pollution and necessary efforts to overcome these problems. These are authoritatively described in *Mahabharata* and *Vedas*. Specifically, Buddhism and Jain religion exhort their believers to be non-violent to creatures, be aware of the air pollution and love the nature. Thus, in ancient India, Hindus have been inquisitive, active and progressive and the authoritative scriptures produced in this era are still the best examples of earliest environmental protection messages. For example, in *Vishnu Sanhita*, people are very clearly told that:

He, who, for his own pleasure, kills harmless beasts, should be regarded as dead in life; such a man shall know no happiness, here or hereafter. He, who desists from inflicting pain, on any animal, either of death or confinement, (is really) the well-wisher of all creatures, such a man enjoys extreme felicity.[56]

In *Manusmriti*, it is said that dirty and muddy water should not be used and the water which has lost its natural odour and colour also not be used.

The water, that quenches the thirst of cows, that is not dirty and muddy and has good odour, colour, etc., and the water which is on clear land, is sacred.[57]

[5]*Charak Sanhita*, Vimansthan, Chapter 3, Verse 11.

विगुणेव्वपितु खलुएतेषु जनपदोद्धंशन करुगेपुभावेपुभेपाजेनो-
पषाद्य मानानां न भयं भवति रोगभ्यश्नति ।

[56]*Vishnu Sanhita*, Verses 68-69.

यां हिंसकानि भूतानि हिनस्त्यात्म सुखच्छया ।
मजीवंच अतश्चैव न श्वचित् सुखमेधने ॥
वो बन्धनवध वेतशान् प्रणिना न चिकीर्षति
स सर्वस्य हितप्रेप्सु: सुखमत्यन्तमश्नुते ॥

[57]*Manusmriti*, Chapter 5, Verse 128.

आप: शुद्धा भूमिगता वैतृण्य यासुगोर्भवेत् ।
अव्याप्ताश्चेदमेध्येन गन्धवर्ण रसान्विता : ॥

The Saint Swami *Ram Tirth* said:

Ponds are static, rivers flow. The roaring flowing, transparent, cool, and fresh water of a river is always good and worth drinking but the water of a static pond is filthy, dirty, foulsmelling and creates hatred.[58]

The Sikh Saint *Guru Nanak*, in his Sabad, said:

Continuously flowing water has been recognised as a pure water and therefore, it is said, there is no harm in using the water of rivers.[59]

Yagyavalkya Smriti has given so many instructions for the use of water which should be exclusively pure.[60]   It is again expressed in *Charak Sanhita*:

Foul smelling, discoloured, muddy, spoiled by birds, dry, hateful, tasteless, having no quality of purity—such water creates diseases and is called polluted water.[61]

When the polluted water and pure water were the point of discussion of the ancient Indian thinkers, they were very much aware of the reasons which cause the pollution in water. Therefore Manu advised:

One should not cause urine, stool, cough in the water. Any thing which is mixed with these unpious objects, blood and poison should not be thrown into water.[62]

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[58]This excerpt has been taken from *Ram Tirth Sukti Sudha*.

[59]*Maru, Sabad* 5
विमल मझारि वसमि निरंभन जल पदमनि
जावल रे ।

[60]*Vajyavalkya Smriti*, Achardhyayah, Verse 20.
त्रि: प्राश्यापो द्विरन्मृज्य खान्याब्दि: समुपस्पृशेत् ।
अभिदस्तु प्रकृतिस्थाभिर्हीनाभि : फेन बुदबुदे: ॥

[61]*Charak Sanhita*, Vimansthan, Chapter 3, Verse 7.
उदकन्तुखलुघ्रत्यर्थ विकृतगन्धवर्णरसस्पर्शवित् क्लदबहुलम
पक्रान्तजलचरविहः सुपर्क्षीण जलाशयमप्रीतिकरमपगत गुणविद्यात् ।

[62]*Manusmriti*, Chapter 4, Verse 56
नाप्सु मूत्रं पुरीषं वा ष्ठीवनं वा समुत्सृजेत् ।
अमेध्यलिप्तमन्यद्वा लोहितं वा विषाणि वा ।

With respect to the protection of trees and plants, Hindus are advised to treat these as sons: *Mahabharata* clearly states that trees and plants are also living beings. They have senses, they feel happiness and sorrow and have a sense of taste as well. This illustrates the botanical expertise of ancient Hindu thinkers for example in "Shanti Parva" of *Mahabharata* it is said

Trees take water from the roots. If they have any disease it is cured by sprinkling of medicines. It shows they have Rasendriya. Trees are alive and they have life like others because on cutting they feel sorrow. Similarly, they have the feeling of happiness. After cutting, a new branch (ankur) comes out [63]

Again, in *Mahabharata*, it is elaborated that the trees and plants are affected by the atmosphere and surrounding natural changes. According to the great thinkers, the trees possess the power of touch, hearing, sight, smell and taste

Although trees are solid, they have the virtues of sky. It has no doubt. Because of their life they flower and bear fruits. Trees feel warmness. Their fruits and flowers are affected by heat and after being dry they fall down. It approves that they have the sense of touch. Flowers of trees fall down with effect of air, agni, voice or thunder. Only ears catch the sound. It shows that trees have the hearing power. Lata encircles the tree and it rises from the bottom to the upper part of the tree. No one can go ahead without seeing the path. It shows that trees have the sight. The incense and foul smell affects the growth of the trees. Incense helps the trees to flower and fruit and the foul smell makes them suffer. It shows that trees have the power of smell as well.[64]

Regarding reforestation, Kautilya considers it an important factor for nation's welfare. It is said that forests were valuable for the progress of nations, and they should consist of a variety of plants and animals. In

[63]*Mahabharata*, Mokshadharmparva, Chapter 18, Verses 15, 17.
पादैः सलिलपानाच्च व्याधीना चापि दर्शनात् ।
व्याधि प्रतिक्रियत्वाच्च विद्यते रसन द्रुमे ॥15॥
सुखदुःखयोच्च ग्रहणाच्छिन्नस्य च विरोहणात् ।
जीवं पश्यामि वृक्षाणामचैतन्यं न विद्यते ॥17॥

[64]*Mahabharat*, Mokshadharmaparva, Chapter 184, Verses 10-14.
घनानामपि वृक्षाणामाकाशो स्ति न संशयः ।
तषां पुष्पफलप्यक्तिर्नित्य समुपपद्यते ॥

second Canto it is said:

> On non-agricultural land of about 4 crosh size, a forest should be caused with a single door. Trees of fruits, beautiful groves, and attractive flower plants should be planted. There should not be any cactus type trees. A small pond should also be there. Deers and other such animals should be familiar to people.   Nails and teeth of hunting animals should have been extracted. Elephants—male, female and children should be there.[65]

Thus, as mentioned above, protection of the environment has been an important aspect of Hindu way of life.   The ancient tradition, followed by such great religions as Buddhism and Jainism, exhorted the faithful to follow the edicts.   Those who faultered from their duties, were told that their lives hereafter will be difficult

DECAY OF HINDU IDEALS AND ENVIRONMENTAL CRISIS

If such has been the tradition, the philosophy and the ideology of Hindu religion, then what are the reasons behind the present state of environmental crisis.   As we have already demonstrated that our ethical and moral beliefs and values influence our behaviour towards others, including all creatures and the plant-life, and if for some reason those noble values get displaced by other beliefs which are either thrust upon the society or transplanted from another culture due to invasion, then the faith of masses on the earlier cultural tradition gets shaken.   Slowly, when the foreign culture, language, and system of administration acquires a root and reaches to a superior level, and as appropriate answers and leadership was not forthcoming from the religious leaders and Brahmans, it was but natural for the masses to become more inward-looking and self-centred.   Obviously,

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उष्मतौम्लायते वर्णं त्वक् फल पुष्पमेव च ।
म्लायते शीर्यते चापि स्पर्शस्तनात्र विद्यते ॥
वाय्वग्न्यशनिनिर्घोषैः फलं पुष्पं निशीर्यते ।
श्रोत्रेण गृह्यते वृक्षं सर्वतश्चैव गच्छति ।
न ह्यदृष्टश्च मार्गोर्तुस्तं तस्मात्पश्यन्ति पादयाः ॥
पुण्यापुण्यस्तथा गन्दौ धूपैश्च विविधैरपि ।
अरोगा : पुप्पिता : सन्ति तस्माज्जिघ्रन्ति पादपा : ॥

[65]*Kautilya Arthashastra*, Adhyaksha Prachar, Chapter 2, Para 20.

तावन्मात्रमकद्वारं खातगुप्तं स्वादुफलगुल्म गुन्दभक्पद
किद्रुममुन्नानतोया शयं दान्तमृगचतुष्पदं भग्ननखदण्ट्
व्यालमागायुक हस्तिहस्तिनीकलनं मृगवनं विहारार्थं
राज्ञ कारयेत् ।

protection of the environment would not remain a high priority item when the masses had to worry about their life, liberty and freedom. Consequently, the worship of nature would replace the worship of idols and other supposedly super-natural powers. In this process, the Brahmans were either coopted by the rulers, or those who opposed were killed. The ancient educational system which preached to each young man the value of nature and the reason for its preservation, was no longer available. On the other hand, the imported culture was unable to subsume the ancient Hindu religion; consequently, a conflict continued between the two value systems. The situation became more complex when in addition to the Muslim culture, Britishers brought the western culture and values. These two dominating cultures subjugated India for about seven hundred years; and were instrumental in the perpetual loss of faith among Hindus toward their basic ideals which insisted on the non-duality between the man and nature. The major deterioration in Vedic ideals resulted during the middle ages when followers of Islam and Christianity invaded the country and established their cultural and political hegemony. It brought not only the penetration into the religious and cultural values of Hinduism, but a systematic destruction of religious places or cultural genocide was perpetrated. Naturally, India's rich culture suffered. In those dark middle-ages of the traditional India, there came a time when very few in the society were educated and only few chosen were able to study the Vedas and scriptures. Wherever they were able to preach and teach, there were many constraints. While the medium of Hindu religious teaching and preaching remained the Sanskrit, rulers gave preference to foreign and regional languages. This not only affected the study of Sanskrit language but also influenced the ideals of Hindu religion. Later, the onslaught of Islam and Christianity contributed to the weakening of resolve to practise *Sanatan Dharma* and created confusion and chaos in the Hindu society.

The religion being practised by an average Hindu today seems almost different to what has been preached in Vedas, Upnishads and Geeta. It has now become more ritualistic, congregational and rule-bound. Although rituals create a religious climate, and congregational activities provide an atmosphere of brotherhood, fellowship and unity, while religious rules strengthen the moral base of the society; nevertheless misinterpretations of the Hindu ideals and malpractices by religious leaders brought perversion to Hindu religion.

A review of the historical background of Hindu attitude towards nature reveals that as early as the Indus Valley civilisation which dates back to about 3000 BC, Aryans have been fully aware of the utility of nature and civic sanitation. Most important sources of Hindu civilisation—*Vedas, Mahabharata, Ramayana, Puranas* and *Smriti's*—are full of many such examples which prove the Hindu alertness against the pollution and environmental crisis. Gradual downfall of Hindu culture is seen after the

Gupta period but surely during the Maratha period. Despite the valiant efforts of Kumaril, Shankar, Ramanuja, etc., at this stage, the invaders tried their utmost to pollute the Indian culture and Hindu way of life.

In the immediate pre-independence period, most of our Hindu thinkers were very much aware of this aspect and had been sincerely advocating to get rid of the undesirable aspects of western culture on our society. *Swami Ram Tirth, Ram Krishna Paramhansa, Swami Vivekanand, and Mahatma Gandhi* have emphasised love towards nature, creature and humanity; even now many persons belonging to different Hindu sects continue to preach the same. *Swami Vivekanand* says that unless we struggle for our welfare in nature, we can't survive.

The whole process of evolution is the soul's struggle to manifest itself. It is a constant struggle against nature. It is a struggle against nature and not conformity to nature that makes man what he is. It is the constant struggle against nature that constitutes human progress, not conformity with it.[66]

This clearly shows that the modern emphasis on progress has been very much attracted towards the western way of living. After independence, most of the time of our leaders and politicians remained engaged in nation-building and achieving the goal of self-sufficiency in the country. Five Year Plans were prepared and executed for social, economic and industrial growth and for allround development of the country. Most of the plans were based on revitalising the natural resources, *i.e.*, constructing dams over rivers for irrigation and power, cultivating more and more land to grow more food, opening new industries by using the raw material and exploiting the nature. The 20th Century race of so-called advancement in science and technology, industrialisation and urbanisation, means of transportation, civic amenities and exploitation of natural resources did not leave India unaffected.

For rapid industrialisation, developmental plans were based on exploitation of natural resources. Scientific and technological know-how indigenously developed as well as transferred from outside was then used for this purpose. But the one most significant problem of the post-independence era has been the constant growth of population which increased gradually from 350 million in 1947 to over 700 million in 1981. Currently, the nation's air, water and land is not only overused but is also degraded due to dust, smoke, sewage, sullage, industrial discharges and city refuse. The chemical and physical contamination of water, air and soil has contributed problems of health hazards. We have been constantly

[66]*The Complete Works of Swami Vivekanand*, Vol. VI, Calcutta, Advait Ashram, pp. 35-36.

polluting the atmosphere, river waters, and cutting the forests which has resulted in the present crisis of the environment.

Government of India has taken serious steps to understand and examine the environmental pollution problem.[67] A separate department has also been established directly under the prime minister. Such efforts have also been made at the state level.

Rapid industrialisation, unplanned urbanisation, and fast growing population have been the three key factors which have caused a systematic degradation of the environment, thus endangering the health and welfare of the nation. However, despite governmental programmes to protect and enhance the quality of the nation's water, air and ecological resources (so as to promote public health and welfare and enhance the productive capacity of the country), the problem appears to be going out of control.

CONCLUDING OBSERVATIONS

Our discussion so far has given a glimpse of Hindu view of creation, Hindu attitudes towards the nature and protection of the environment as revealed in ancient scriptures, relevant duties and laws as stated in religious texts and edicts, and the process of moral decay which has brought environmental crisis. We would like to conclude by stating our general views and offering certain specific suggestions.

While the divinity was driven out of nature when the Graeco-Roman world was converted to Christianity, and was concentrated in one unique transcendent God, Hindu religion kept it because the God-hood is considered to be diffused throughout the universe and nature. Divinity, according to Hindu religion, has been and is present all over including mountains, in rivers and forests, in plants and grains, in animals and beasts, in stars and planets, and in earthquakes and lightning and thunder. Thus, the Hindu divinity has never been singular or a unique almighty super-being. Man has always been made conscious of his obligations and duties toward the nature, its creatures, and to the universe. But presently, in modern India, many a Hindu would not hesitate to tamper with nature in order to satisfy his own greed.

The devastation of forests and rural hinterland by the ever increasing demands of fast industrialising and urbanising India have played a havoc on the environment. Traditionally, India has been perhaps the least technological-minded of all the surviving civilisations of the world. But the events

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[67]For a historical review of governmental response to environmental challenges, see, O. P. Dwivedi, "India: Pollution Control Policy and Programs", *International Review of Administrative Sciences*, XL iii, : 2, 1977, pp. 123-133; and O. P. Dwivedi and B. Kishore, "Protecting the Environment from Pollution : A Review of India's Legal and Institutional Mechanisms", *Asian Survey* (University of California Press, Vol. XXII, No. 9, September 1982, pp 894-911.

of the 1960s and 1970s have brought technology too fast and perhaps too soon. The words of Arnold J. Toynbee appear to be specially relevant to modern Indian situation: "technology is the magic that grinds out wealth and power; and human beings rush to buy wealth and power at almost any price."[68] Technology "at almost any price", is surely going to affect the nature. Yet it seems to be highly improbable that the process of technological advance could be deliberately arrested. It is a worldwide phenomenon. Indians too are eager to join the world race for technological progress; not only that, all events point out that in nearly every aspect of technology, India has mastered it. Soon, if the process continues, India too would be a beneficiary of technology in the same manner that the west has been; but at the same time, evils of technology would also be with us. It is essential that a balance must be struck between technology and conservation. If enough and adequate care is not taken, then the further degradation of the environment will be a signal for the slow spiritual and cultural death of India.

This need not happen. The nation should immediately rededicate itself toward conservation and environmental protection. There is a need to strike a balance between the material aspirations and spiritual survival. Among the cultures of the world, it is much easier for India to strike such a balance. It is relatively less difficult to bring a revival of moral dedication in India which has had such a rich tradition of respect to the nature. Learning from the lessons of environmental degradation in the west, and drawing upon the teachings and preachings of the ancient scriptures would not cause any damage to the secularism as practised in India now. We believe that environmental protection is in the interest of all religions. Writings have amply demonstrated that inherently no religion preaches disrespect to the nature.[69] Thus, the religion has a special place and value in protecting the environment.

The Vedic literature and other scriptures of Hindu religion clearly prescribe certain duties, mentioned earlier, which if followed, would lead towards the protection of the environment by the present generation as a

[68]Arnold J. Toynbee, *Change and Habit : The Challenge of Our Time*, London: Oxford University Press, 1966, p. 201.

[69]Writings emanating in the west have amply demonstrated that it is the man rather than his religion which must be blamed for greed and environmental destruction. See, for example, Lynn White, Jr., "The Historical Roots of our Ecological Crisis", *Science* CLV, 1967, pp. 1203-7; Arnold Toynbee, "The Religious Background of the Present Environmental Crisis", *Environmental Studies*, Vol. 3, 1972, pp. 141-146; Paul W. Taylor, "The Ethics of Respect for Nature", *Environmental Ethics*, Vol. 3, No. 3, Fall 1981, pp. 197-218; and Ian G. Barbour, *Western Man and Environmental Ethics : Attitudes Toward Nature and Technology*, Reading, Mass., For comparative study, see Iqtidar H. Zaidi, "On the Ethics of Man's Interaction with the Environment : An Islamic Approach", *Environmental Ethics*, Vol. 3, No. 1, Spring 1981, pp. 35-47; and Yi-Fu Tuan, "Discrepancies between

trustee for succeeding generations.   A challenge has been enshrined, into these various ancient books, for conserving the natural resources for future generations. But as these duties and related prescriptions have not prevented the ecological crisis which India faces today, obviously changes in attitudes and views toward the nature would have to come; otherwise we, and our world, will soon be in serious trouble.   Such a change toward an environmental ethic must be developed.   One important element of this ethic should be the view that one must not continue to dominate the nature, and also one should not believe in and strive toward the perpetual material progress. So far, we have exploited our environment for immediate material prosperity.   We have ignored the value of the nature and its place as insignificant.   The time has come not only to recognise the value of the nature but also to develop an appropriate respect and feeling toward all other creatures of God.   We are not suggesting any new concept or theology; on the contrary, our contention is based on what has been already said in great Hindu Vedic literature and other scriptures.   For example, Hindu family is advised to perform five *yajanas* : Brahma-yajan, Dev-yajan Pitri-yajan, Manushya-yajan, and Bhoot-yajan.   Among these, the *Dev-yajan* relates to offering of oblations in fire for pleasing and purification of such divine and nature's powers as air, rains, water, etc.; while the *Bhoot-yajan* prescribes respect, protection, and preservation of animals, birds, plants and trees, etc.   It should be noted that the importance of the *Bhoot-yajan* has been stressed in the Hindu scriptures mostly because it was considered that human beings and other creatures as well as the ecology were part of the same eternal source.   This point has been further elaborated in the *Skanda Puran* which states:

It is most strange that people wish for heaven by cutting trees, killing the animals, causing the blood to flow, and burning *Til* [grain] etc. in fire.[70]

(*Continued from previous page*)
Environmental Attitude and Behaviour : Examples from Europe and China", *Canadian Geographer*, Vol. 25, No. 1, 1968, pp. 176-191.   Recently, C. J. Starrs has prepared a study on *Environmental Ethics and Beyond* (the Human Side of the Man-Environment Relationship), Ottawa, Canada, January 1982, manuscript.   For a refutation of Lynn White Jr.'s contention, see F. Vaughan, "Ecology and the Concept of Nature", in O. P. Dwivedi (ed.), *Protecting the Environment* Toronto, 1974.   For relevance of ethics in environmental policy process in Canada, see a study prepared by O. P. Dwivedi, *Towards Accountable Environmental Management* (a report prepared for Environment Canada), September 1982, mimeographed.

[70]*Skandha Puran*, Kashi Khanda, Chapter 58, Verse 10
वृक्षाश्छित्वा पशूनहत्वा कृत्वारुधिर कर्दमम् ।
दध्वावह्य निलाज्यादि चिनं स्वर्गोऽभिलभ्यते । ।

That is why Hindus have been asked to seek harmony and peace with their surroundings. If they can do that—a practice which has been abandoned, they would be able to fulfil their moral obligation as a 'trustee' to the future generations. Otherwise, the enormous growth of the population and the gradual destruction and disappearance of natural resources, pollution of air and water, deforestation, and increased risks to life due to radioactivity would lead to the extinction of all species. Hence, not only to save ourselves but also to leave the world befitting for the use of future generations, the present society must visualise the limit to damage done, and accept the responsibility for protecting the environment by recognising the value of environmental ethics as a guiding principle for our destiny.

What is needed now in India is a development of environmental ethics which is based on the rich cultural tradition of Hindu philosophy, and which equally draws from the teachings of other religions such as Christianity, Islam, Buddhism, Jainism, etc. Hence, in addition to the efforts made at the governmental level, it is also desirable to inculcate and revive the respect among individuals toward the nature. To this end, the education system would have to be modified; and mass media would have to be supportive of such teachings. Of course, the basic concerns for environment protection, such as tree plantation, wise use of natural resources, etc., would have to be emphasised in the plans for social and economic development. Therefore, it is essential that those religious values and rules which exhort us to be respectful not only to fellow-beings but also to all creature and the nature must be enshrined in the educational and administrative system of the country. Such rededication and development of environmental ethics is going to benefit all as exemplified in the following verse:

Sarve bhavantu sukhinah, Sarve santu niramayah;
Sarve bhadrani pashyantu, ma kashchit dukhbhagbhavet.

Performance Budgeting in India—An Evaluation

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MOST OF the developing countries have had a colonial heritage. As an aspect of colonial administration, budgetary systems and fiscal administration were primarily intended to serve the basic interests of metropolitan economies and their governments. Indian financial system was no exception. The architects. who designed Indian financial system had, in most cases, the experience of British Treasury which they looked upon as a model of perfection. By and large, they were imbued with the principles and traditions that pervaded the British System[1]. As a framework of orderly financial administration, therefore, the Indian, sytem stood the test of time and had fared far better than many of its counterparts elsewhere. Nevertheless, in its essential details, the Indian system suffered from several rigidities, distortions and aberrations borne out of its colonial heritage.

CONSTRAINTS OF COLONIAL HERITAGE

British financial system was primarily intended as a tool of parliamentary financial control. The system of accountability accorded a pivotal position to the British Treasury. But since all the members of the Cabinet were elected, the Chancellor of the Exchequer did not have to breathe down the necks of his colleagues with suspicion. Accounting was also an executive responsibility. The audited accounts constituted an important basis of legislative vigilance over the activities of the executive. Financial control was based on well-conceived rules and procedures.

Though the design of the Indian financial system was inspired by the White Hall model, its installation in a colonial soil led to serious distortions in the basic framework of the system. There was no elected legislature. The Secretary of State, a member of the British Cabinet, was the fountainhead of financial administration in India. Indirectly, therefore, legislative control over Indian administration was exercised by the British Parliament

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[1]James Wilson was the Finance Member who introduced the first budget of the Government of India in 1860. The Government of India Act of 1858 and the recommendations of the Budget and Audit Committee of 1860 formed the corner stones of the Indian financial system. Please refer to Gyan Chand, *Financial System of India*, Trubners Oriental Service, 1926, Ch. 1&2.

which was but a "sleeping guardian" of Indian affairs. Though legislatures came into being at a later date as a result of constitutional changes, their control over the executive was severely circumscribed.[2]

Colonial status was at the root of many distortions in the Indian financial system. Too many checks and balances through a web of cumbersome rules and procedures, excessive centralisation of financial powers in the hands of the finance departments, combination of accounts and audit in the hands of Comptroller and Auditor General of India and so on reflect the suspicion that pervaded the financial system not only at levels manned by the natives but also at the highest echelons of Indian administration. Budgeting was also an exercise enmeshed in cumbersome rules and procedures geared to detailed and rigid centralised financial control.[3]

Those who examined the operation of the Indian financial system found that extreme centralisation and excessive checks and balances made the process of budgeting and financial control "too slow, too specific and too detailed". By "straining at the knot", the system proved to be too expensive as compared to the savings effected. It militated against developing cost consciousness and financial responsibility in the programme agencies.[4] At the same time, large investment outlays were not carefully scrutinised. Being "penny-wise and pound-foolish" became doubly wasteful, especially when the public sector undertook to shoulder major responsibility for clearing the backlog in social and economic development after Independence.

Planned development involved a sharp increase in the scale and pattern of public investment.[5] Fiscal policy and administration was assigned a crucial role not only in raising the rate of saving and investment but also in translating the targets of achievement envisaged in the plan into reality. The financial system in general and budgeting in particular had to be dovetailed into the framework of the plan and the fulfilment of its tasks. But, the budgetary system developed under the British rule was far from result-oriented. The formal structure of the budget was not in harmony with that of the plan. Whereas plans were delineated in terms of sectors,

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[2]M.J.K. Thavaraj, *Financial Management of Government*, Delhi, Sultan Chand & Sons, 1978, Ch. 2&22.

[3]Asok Chanda, *Indian Administration*, London, George Allen and Unwin, 1958, Ch. IV. Also, A. Premchand, *Control of Public Expenditure in India*, Bombay, Allied Publishers, 1963.

[4]Gopalaswamy Iyengar, *Report on Reorganisation of the Machinery of Government*, Government of India, 1949. Also, A.D. Gorwala, *Report of Public Administration*, Planning Commission, Government of India, 1951; and, Paul H. Appleby, *Public Administration in India, Report of a Survey*, Cabinet Secretariat, Government of India, 1953.

[5]At current prices, the size of the plan has increased from about 2 billion U.S. Dollars druing the First Plan (1951-56) to about a 100 billion U.S. Dollars during the Sixth Plan (1980-85). One U.S. Dollar is equal to about 10 Indian rupees. The relative importance of capital intensive energy sector, infrastructural facilities and heavy and capital goods industries have increased over the plans.

programmes, schemes, projects and activities, the appropriation and accounting structure were based on organisational structure and the items of expenditure incurred by them. In otherwords, budget and account heads were at variance with development heads. Performance budgeting was intended to remove some of these deficiencies and impart the requisite result-orientation and cost consciousness to programme management.

SOURCES OF INSPIRATION

Planning in India was inspired by Soviet experience. But the Soviet budgetary system was not so attractive. This was because, unlike in the Soviet Union where planning embraced almost the entire economy (and consequently the focus of attention was more on annual plan than on budgeting), budgeting in India had to play a dual role of fulfilling the tasks of the public sector while at the same time influencing decisions in the private sector. Moreover, in the initial years, the results achieved under Soviet planning, were more the result of a revolutionary reorganisation of the socio-economic system than due to a conscious application of principles of scientific management. In any case, India sought to combine the techniques of comprehensive planning borrowed from the Soviet Union with the instruments of fiscal policy and budgetary techniques drawn from the developed capitalist countries. At the same time, since western Europe was somewhat slower in modernising its budgetary systems, India had to look towards the United States for innovative budgeting which could serve as a tool of plan implementation and efficient programme management. The system of performance budgeting, which was in vogue at all levels of government in the United States since the World War II was found to be most suitable for the purposes of development administration in India.

In the United States, concepts of scientific management began to attract the attention of some of the progressive municipal governments even before the World War I. The inter-war period evoked greater enthusiasm for cost-based budgets at the state and local levels. The expanding public sector under the 'New Deal' called for a greater concern for economy and efficiency. The application of techniques of cost-benefit analysis, "project budgeting" and so on to public works strengthened the broader concern for scientific approach to management of programmes. Based on these experiences, organisations like the Municipal Finance Officers' Association and International City Managers' Association[6] undertook to refine the tools and techniques of cost-based performance budgeting and developed manuals for their general application over a wider gamut of public administration.

[6]International City Managers' Association, *Municipal Finance Administration,* Chicago. 1937.

The recommendations of the Hoover Commission[7] and their embodiment in the Budgeting and Accounting Procedures Act of 1950 gave a tremendous boost to Performance Budgeting at all levels of government in the United States.   The upsurge for Performance Budgeting attracted the attention of quite a few academics who tried to crystallise the American experience and expounded the basic principles behind the new technique of budgeting.[8] Their students spread the message in every part of the world.

The United Nations and its agencies were spearheading a powerful movement towards the modernisation of the financial systems all over the world.   In the fifties, their preoccupation was with the economic and functional classification of government budgets   and accounts with a view to provide a basis for macro-economic policies and social accounting.[9] Performance Budgeting was an important constituent of the package of budgetary reforms propagated by the UN agencies through their regional workshops.   The XIII International Congress of Administrative Sciences held in Paris in July 1965 paid considerable attention to new techniques of budget preparation and management.   The culmination of all these efforts was the publication of the UN Manual for Programme and Performance Budgeting,[10] which constituted an important source of inspiration for the introduction of Performance Budgeting in developing countries.

The speed at which the message of Performance Budgeting reached India is really amazing. The initial demand for the introduction of Performance Budgeting in India was made as early as in 1954—even before the Second Hoover Commission had submitted its report.   The interest evinced by Indian Parliament took concrete shape in the form of a Report of the Estimates Committee on Budgetary Reform in 1958[11] which suggested:

Performance-cum-programme System of Budgeting would be ideal for a proper appreciation of the schemes and outlays included in the budget, especially in the case of large scale developmental activities.

[7] *Report of the Commission on Organisation of the Executive Branch of Government,* Washington, 1949. The task force headed by A.F. Buck prescribed Performance Budgeting as the key to efficient and economic execution of governmental programmes and activities.   The Report of the Second Hoover Commission of 1955 recommended streamlining the classification of programmes and activities as the basic framework for developing cost-based budgets.

[8] Frederick Mosher, *Program Budgeting ; Theory and Practice,* Public Administration Service, 1954. Also Jesse Birkhead, *Government Budgeting,* New York, Wiley, 1956. And Arthur Smithies, *Budgetary Process in the United States,* New York, McGraw Hill, 1956.

[9] United Nations, *Government Accounts and Budget Execution,* 1952. Also United Nations, *A Manual for Economic and Functional Classification of Government Transactions,* 1958.

[10] United Nations, *A Manual for Programme and Performance Budgeting,* New York, 1966.

[11] *10th Report of the Estimates Committee* (Second Lok Sabha), 1958.

The Performance Budgeting should be the goal which should be reached gradually and by progressive stages without any serious budgeting dislocation. It is to be hoped that the experiment towards Performance Budgeting on a selective basis in order to supplement the traditional budgets on a selective basis would be expedited and that the 1959-60 budget contain concrete result of it at least in the case of selected ministries of project.

However, the enthusiasm displayed by the legislative wing of the Central Government (Government of India) did not evoke adequate response in the Ministry of Finance which took a decade before it could lay before Parliament, Performance Budgets of selected organisations.[12] Lack of appreciation of the concept and scope of Performance Budgeting and paucity of talents to design and implement interrelated reforms were responsible for the long delay and hesitation in concretising the recommendations of the Estimates Committee. The latter, however, pursued the matter tenaciously.[13]

In the meanwhile, preparatory efforts were made by several agencies within and outside the government. The Management and Administration Division of the Planning Commission made some probing efforts in coverting traditional budgets relating to some commercial and departmental undertakings into a performance basis. The direction of accounting reforms was also identified. The Performance Budgeting Cell of the Ministry of Finances joined forces with the management team in the Planning Commission in these pioneering efforts. The USAID and the Ford Foundation in India made the services of some American experts available to undertake reconnoitary studies in India.   The findings of all these efforts were crystallised in the Report of the Working Group on Performance Budgeting set up by the Study Team on Financial Administration of the Administrative Reforms Commission (ARC). The ARC in its Report on Finance, Accounts and Audit of 1968, recommended the introduction of Performance Budgeting in India. Thus, the impulses emanating from the Hoover Commission were echoed by a similar Commission in India almost a generation later. The generation gap involved was as much in terms of time as it was in terms of evolving new techniques of budgeting.

[12]Performance Budgets of Selected Organisation 1968-69 covered four Central Ministries/Departments (16 organisations and services in all). The coverage was increased in subsequent years.

[13]See 60th and 61st Reports of the Estimates Committee, 1959 and 73rd Report of the Estimates Committee, 1960. As a result of such persistent demands from the Estimates Committee, the Department of Economic Affairs in its Office Memorandum No. F. 8(6)-B/60 dated June 12, 1961 addressed to all ministries of the Government of India, drawing their attention to the demands of the Estimates Committee that the public undertakings should prepare performance-cum-programme statements besides business type budgets for submission to Parliament.

Whereas India was struggling to find ways and means of assimilating Performance Budgeting, the United States was forging ahead with a new system of budgeting which could be integrated with planning and programming. While this may be called a generation gap, it is also true that India began its search for appropriate technique of budgeting after accepting comprehensive planning, the US was looking for a rational system of strategic decisions (planning and programming) without which Performance Budget would lack direction and purpose. Of course, the nature and scope of planning as well as the degree of sophistication in budgeting required in the two cases are vastly different.

As understood in India, Performance Budgeting is a technique of presenting expenditure in terms of what an organisation seeks to achieve, how much, when and at what cost. In the government, individual agencies had to formulate their programmes and activities in conformity with the broader purposes to be served and overall framework of policy objectives. A sound work programme for a specified time period should include, for each activity, a clear definition of objectives, the choice of basic methods for achieving the objectives, a forecasting of how much and what kind of work is to be done, when, and at what cost.

Accordingly, Catheryn Seckler-Hudson has delineated certain steps for Performance Budgeting.[14] The first step towards Performance Budgeting is the establishment, improvement and extension of activity schedules stating the major purposes, to be served, the identification of programme geared towards these ends, indication of projects and activities under each programme and the measurement of the volume of work with data on past, current and anticipated workload. The second step is the installation of work measurement and the application of performance standards without which Performance Budgeting could lose much of its appeal. However, in view of the heterogenous nature of governmental activities, ranging from business enterprises to law and order, yardsticks of measurement would also vary in the degree of precision and sophistication.[15] The third important step in Performance Budgeting is the establishment of record-keeping along functional lines so as to enable the preparation and submission of timely performance reports to suitable levels of responsibility. Such reports would indicate the variance between budgeted and actual costs and accomplishments. An efficient system of reporting presupposes an adequate accounting support. Basically, therefore, there must be an integration between programme and activity classification,

[14]Catheryn Seckler-Hudson, ' Performance Budgeting in Government of United States", *Public Finance*, Vol. VII, 1952, pp. 327-55.
[15]M.J.K. Thavaraj, "Performance Measurement" (a paper submitted to the Seminar on Integrated Approach to Budgeting, ACDA, United Nations, Kuala Lumpur, 1976. Also, J.H. Dwyer, *Yardsticks for Performance*, Municipal Finance Officers' Association, Chicago, 1962.

structure of organisational responsibilities and accounting framework. Decentralised managerial system, accrual accounting, performance audit and so on are also regarded as necessary complements of Performance Budgeting.

The broad outline of the steps envisaged by Catheryn-Seckler Hudson for Performance Budgeting has remained the same during the last three decades though adaptations have been made in accordance with socio-economic conditions, technical progress and sophistications in administrative systems. For instance, in India the accent on classification of expenditure is more on programmes and activities than on mutually exclusive functions. Accrual accounting has been rare where double-entry book-keeping is not prevalent or possible. Role of accounting could also be enhanced by introducing concepts of costing and management accounting. EDP has been introduced wherever accounts are centrally compiled. Use of management tools like Network Analysis and PERT costing are found invaluable in developing Performance Budgets for capital projects. The UN Manual which takes many of these developments into account has redefined the concepts and redesignated the steps involved as structural, analytical and informational aspects of Performance Budgeting. Capital projects are treated separately. By and large, the Indian experiment has closely followed the prescriptions of the UN Manual.[16]

EVALUATION OF INDIAN EXPERIENCE

The dynamic role assigned to public sector in planned development in India implied that a predominant segment of governmental operations could be reduced to sensible quantitative categories capable of measurement with varying degrees of refinement. As a tool of plan implementation and management of programmes, therefore, Performance Budgeting had tremendous attraction in India. Despite the cynicism and skepticism in certain quarters, the promoters of Performance Budgeting generally believed that, given the desire and drive for economy and efficiency in the formulation and implementation of plan schemes, Performance Budgeting could help programme managers to prepare their budgets on the basis of what they expect to accomplish; to develop suitable norms of work; to review progress and generate managerial action to control performance; to develop feedback systems for evaluating on-going programmes with a view to redesigning policies and programmes; to make legislative control and policy-making more meaningful; to make budget more informative and understandable to the tax payer and so on. In other words, Performance Budgeting was looked upon as a capable tool in concretising

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[16]S.S. Viswanathan, *Performance Budgeting in Government : An Illustrative Guide*, New Delhi. Indian Institute of Public Administration, 1972.

long term plans and programmes apart from strengthening legislative control and public accountability. Though it was not regarded as a panacea for all administrative ills, a skilful handling of the tool was expected to yield the desired results.

As noted earlier, Indian budgets were not phrased in the same language of the plans. Before introduction of Performance Budgeting, the classification of public expenditure was, at best, eclectic. There was hardly any effort to measure the workload and the cost of programmes and activities. There was considerable criss-crossing of functional and organisational structure. The appropriation (demand) structure and accounting heads were somewhat archaic. Authenticating accounts was the responsibility of the Comptroller and Auditor General of India. Consequently, accounts did not serve internal decision-making adequately. Timely and relevant data was not generated for corrective action based on managerial review of performance. In essence, budgeting system in India was not conducive to effective implementation of the plans. Sectoral planning and programme analysis were weak. It had, therefore, a long way to go in developing an integrated system of planning, programming and budgeting. The introduction of Performance Budgeting may be regarded as an important step forward in overcoming some of the weaknesses in the Indian financial system and the technique of budgeting.

Conceptually, classification of expenditure, organisational structure, accounting framework, approach to audit, system of financial rules and procedures and so on are components of an interrelated system. But, such an organic view did not prevail while budgetary reforms were designed and carried out in India. For instance, the Administrative Reforms Commission constituted separate Study Teams for the Machinery of the Government of India and its Procedures of Work, for Financial Administration and Audit and Accounts. Though functional approach was examined by the Study Team on Machinery of the Government of India and its Procedures of Work, its recommendations did not go far enough to reorganise the various departments strictly on a functional basis. Similarly, the Study Team on Audit and Accounts was ambivalent about separation of audit and accounts although they conceded the need for strengthening departmental accounts for purposes of internal management. Reform of the system of financial administration has also proceeded in a somewhat piecemeal fashion.

For instance, decentralisation and delegation which is necessary for developing participatory management has been looked upon as a problem in financial control. Performance oriented participation has not been the focal point of these reforms. In the Government of India, the process of delegating financial powers to the spending departments began in 1955 at the instance of the Comptroller and Auditor General of India. Here, again, the Estimates Committee became a relentless champion of decentralisation

and enhanced delegation of powers and responsibilities   The process, however, proceeded in fits and starts.   But, in the course of two decades, expenditure control formerly exercised by the Ministry of Finance was practically entrusted to the spending departments.[17]   Public enterprises were gaining greater internal autonomy.   But the basic approach behind schemes of delegation has been one of sharing financial powers depending on the status of the functionaries involved rather than the requirements of functional responsibilities and managerial needs of programme agencies.

The evolution of the system of financial advice was more or less a parallel process to that of delegation of enhanced powers.   Here again the initiative of the Comptroller and Auditor General and the pursuit of the Financial Committees of Parliament were very much in evidence.   The system of financial advice was intended to develop financial consciousness within the spending departments.   Initially, financial advisers were no more than the extended arms of the Ministry of Finance attached to a few departments.   There was a fairly long period during which Internal Financial Advisers (IFA) were rendering advice in respect of delegated financial powers while External Financial Advisers examined proposal falling in the non-delegated field.   Though it was provided that the heads of departments could overrule the advise of IFAs, they were not fully integrated within the administrative departments.   In fact, the IFAs looked up to the Ministry of Finance for guidance and support.   This lingering suspicion continued until 1975 when the system of External Financial Advice was replaced by one of Integrated Financial Advice.   Thus, it is obvious that though the spirit behind the legislative initiative was to strengthen the hands of programme managers, the Ministry of Finance was unwilling to arm spending departments with unrestrained financial powers.   Nor could the heads of the spending departments be credited with a generous functional approach in delegating powers down the line within the programme agencies.   Despite such executive reluctance and the ups and downs in the course of the movement, the direction of these reforms was unmistakably in favour of strengthening the initiative of programme agencies interested in the installation of a Performance Budgeting system.

The situation in the state governments is far from satisfactory.   Most of the states operate an archaic budgetary system.   The finance departments behave like nagging and niggardly mother-in-law.   The process of political decentralisation was witnessed in almost all the states of the Indian Union. But hardly a few of them have appropriate administrative decentralisation backed up by adequate financial delegation to field agencies.   Very few states have installed systems of financial advice in spending departments.

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[17]M.J.K. Thavaraj, *Financial Management of Government, op. cit.,* Ch. 17.

This is deplorable since the bulk of developmental outlay is incurred at the state and local levels.

Undoubtedly, the major thrust of reform of financial administration in India has been in the area of accounting. Harmonisation of heads of development and accounting and the generation and transmission of requisite financial and cost data for managerial decisions are the two most important objectives of accounting reforms conducive to the installation and operation of a Performance Budgeting system in India. A half-hearted attempt at semi-functional classification of budget and accounts involving some changes in the major heads of account was made in 1960-61. But, the basic structure of budget and accounts was oriented to the departmental and organisational structure. However, the Team of Officers headed by A. K. Mukherji[18] carefully examined the Indian accounting system in order to realign the budget and account heads in line with the development heads keeping in view the needs of Performance Budgeting. Their recommendations involved comprehensive changes in the accounting classification which came into force from April 1, 1974.

The main features of the recommendations of the Team of Officers is to introduce a 5-tier classification structure within each sector comprising major-heads, sub-major heads, minor heads, sub-heads and detailed heads of account. The first 4-tiers were common to both 'accounts' and 'plan'. Sectors (comprising sub-sectors where necessary) indicated the group of the various functions of the government corresponding to sectors of plan classification. Major heads (comprising sub-major heads where necessary) denoted the functions of government such as agriculture, education, health, etc., and corresponded to heads of development in the plan classification. Minor heads represented the various plan and non-plan programmes under each function. Sub-heads reflected the schemes or organisation under each programme or minor head. Detailed heads of account showed the nature and form of expenditure such as salaries, travel expenses, loan, etc., otherwise known as objects (line items) of expenditure. The team listed 26 standard objects of expenditure. Plan and non-plan components of provisions for the various programmes, activities and schemes and the sub-heads or object classification thereunder are shown in horizontal coloumns distinctly. As a result of these recommendations, Indian budgets and accounts conformed closely to functional and economic classification. The demand structure was modified to suit changes suggested above. But, since departmental and organisational overlapping over functions was not altogether eliminated, the system was called programme and activity classification rather than functional classification.

[18]*The First Report of the Team of Officers on Reforms in the Structure of Budget and Accounts relating to the Demands for Grants of the Government of India* was published in 1971. The second relating to the classification of government transactions in accounts and plan was published in 1972

The team had also suggested a scheme for codification of accounts to facilitate computerisation of accounts if not the installation of a full-fledged EDP system.

Currently, some modifications are being contemplated in the scheme of accounting in the light of experience gained since 1974. Basically the intended changes are meant to accommodate new sub-sectors and the proliferation of programmes, projects, activi'ies, schemes and sub-schemes within broad sectors, a 6-tier classification under each sector comprising major-head, sub-major head, minor-head, sub-head, detailed head and objects head in the place of the 5-tier scheme suggested by the Mukherjee Team. The nomenclature of the detailed head has been retained as such even though under the new set up this head would represent a sub-scheme while the object head would indicate the items of expenditure shown under the earlier scheme. The codification scheme will also be changed in accordance with the 6-tier classification. Partial computerisation of accounts is also being contemplated to facilitate speedy compilation of accounts for the Controller General of Accounts.

The second stream of accounting reforms relate to the separation of accounting function from the audit agency. This is otherwise called departmentalisation of accounts. The demand for separation of accounts is as old as Indian Administration. The demand was revived by the Ministry of Finance in mid-fifties. But CAG's , who were so enthusiastic about schemes of delegation or even change of accounting system, were showing strong resistance to separation of accounts on the specious ground that the cost of separation would be prohibitive. The idea was also scotched during the deliberations in the Study Team on Audit and Accounts constituted by the Administrative Reforms Commission.

However, after nearly 30 years of debate since independence, the decision to separate was finally clinched in 1976. Under the new arrangement separate accounts offices were constituted for each ministry/department. The Pay and Accounts Offices rendered monthly accounts to the Principal Accounts Offices under a Chief Controller of Accounts/Controller of Accounts, who consolidated these and sent a major head-wise accounts to the Controller General of Accounts for preparing the all-India civil accounts of Government of India. Manual consolidation at each stage took time and the final accounts received and consolidated by the CGA located in the Ministry of Finance did not give sufficient data for monitoring the expenditure of Government of India on various plan schemes. It was, therefore, decided in 1978 to introduce limited use of computers for consolidating the accounts so that more details could be available from the accounts so prepared. However, in view of the large number of PAO's (about 400) all over India, manual system of preparation of accounts is continued at the PAO's and computerisation is being contemplated at the next two levels.

It would be seen that the thrust of departmentalisation of accounts is more towards central compilation of civil accounts than to transform accounting as an aid to programme management. The organisation of accounting service and the procedure laid down for compilation amount merely as a substitution of accounting role by CAG by the CGA. It is interesting to note that while the classification of accounts apply to both the Union and state governments, departmentalisation of accounts is . confined only to the Government of India. Accountant Generals who are part of combined audit and account set-up of the CAG's establishment continue to compile the accounts of the state governments. Moreover, budget and accounts were meant to be integrated in the office of the Integrated Financial Adviser who is expected to monitor and analyse physical and financial progress óf departmental programme and feed the various levels of internal management with the requisite information for prompt decisions. Unless the CGA is made to serve the Planning Commission directly, his involvement in monitoring the details of expenditure on various plan schemes will be an avoidable duplication. Secondly, the preoccupation of the Chief Controller of Accounts/Controller of Accounts with compilation of accounts on behalf of the Controller General of Accounts should not distract them from their primary responsibility for providing relevant data for managerial decisions. Accounts compiled on a comprehensive basis may not be relevant for the purposes of managerial decisions. Realising this lacuna, an advisory committee of experts was set up by the Finance Minister to suggest suitable measures for strengthening the management information systems within departments. Nothing substantial has emerged out of their recommendations.

Awareness about efficiency-cum-performance audit was evident at higher levels much before Performance Budgeting was introduced in India.[19] It also found a place in the Audit and Accounts Code. But the understanding about the concept and methodology of performance audit did not percolate down to the grassroots of audit establishment. Therefore, its entry into the code was no more than a modern veneer to the traditional 'tick and turnover' audit. But, following the ARC Report on Finance, Accounts and Audit, Audit Boards were constituted in 1968 to undertake comprehensive review of the performance of public undertakings. The board has brought out several impressive reports involving in-depth analysis of the performance of selected commercial undertakings of the central government. Unfortunately, the usefulness of these reports has been considerably reduced due to the inordinate delays in their preparation.

[19]Asok Chanda, *Aspects of Audit Control*, Bombay. Asia Publishing House, 1960.

CONCLUSIONS

In a formal sense, the Indian financial system was designed in the image of the British system which was singularly oriented to parliamentary financial control. But, when transplanted in India within the colonial environment, the system suffered from serious distortions and limitations. In the absence of an elected legislature and representative government, the accountability system became a farce. Extreme centralism and suspicion had drained the programme agencies of their initiative and sense of responsibility. Being conservative, the British system was insulated from modern concepts and techniques of planning. Consequently, independent India had to look elsewhere for inspiration in respect of techniques of planning and programme implementation.

The initiative for a large number of reforms in the Indian financial system has emanated from the parliamentary committees. This is also true of Performance Budgeting. The Planning Commission has also played a catalytic role. But the CAG, who displayed commendable enthusiasm for decentralised financial management, was stoutly opposed to separation of accounts from audit. On the other hand, the Central Ministry of Finance, which was lukewarm and circumspect about schemes of delegation of financial powers, integration of financial advice within the spending departments and so on has enthusiastically supported the departmentalisation of accounts and development of the management information system within the programme agencies. As for the spending departments, except for clamouring for more powers and responsibilities, they have not been in the forefront of reforms. More often than not, they have shown considerable reluctance in implementing the major reforms. Performance Budgeting has also suffered for want of receptivity and compliance on the part of the executives in the programme agencies. The political executive is fond of exercising discretionary powers. Career executives who have ably argued their case for larger delegation of powers have been extremely reluctant about schemes of decentralisation and delegation down the line within the spending departments. They have also been inhibited about developing norms of work and bearing responsibility for quantitative results. Consequently, the installation of Performance Budgeting in India has been more on paper than on the ground.

In a formal sense, Performance Budgeting has been introduced in all developmental departments of the Government of India. Non-development departments like defence have managed to dodge the issue on grounds of secrecy. Establishing the link between heads of development and those of the budget and accounts have been achieved through the series of changes in the framework of budget and accounts. The various schemes of delegation of financial powers and advice have enabled the spending departments to exercise their powers without external interference or control. Ingredients

of management information system have also been introduced. Yet, it cannot be claimed that Performance Budgeting has become a tool of plan implementation.   In a way, the budgetary reforms have been woven around the structural aspects.   But the analytical and informational aspects have not received adequate attention.

The strength of Performance Budgeting lies in the quality of its building material.   Carefully developed norms and standards provide the basis for the formulation of performance budgets and serve as bench marks against which actual accomplishments could be monitored, analysed and reported in terms of key controllable variables to appropriate levels of management prompting them to generate timely and suitable corrective measures for gearing up performance.   It is these analytical and informational advantages associated with Performance Budgeting which make it a unique tool of management of programme implementation.   Unfortunately, norms of work which constitute the bones and sinews of Performance Budgeting have proved to be its Achilles Heel.   This is true of public enterprises as well as the development departments of general government.

Despite the proliferation of public enterprises at the central and state levels, many of them are not even prompt in fulfilling their statutory requirement of preparing the conventional financial statements of Balance Sheet and Profit and Loss Account.   Even those which are receptive to modern management techniques regard Performance Budgeting as one of the many tools of management.   Consequently, barring a few exceptions, interest in Performance Budgeting has been peripheral in most of the public enterprises.

As for the general government, all the reforms cannot be said to have been focussed on Performance Budgeting.   Schemes of delegation and financial advice were intended to decentralise financial control.   Centralised compilation of civil accounts have obscured the concern for accounting as an aid to management. But the direction of all reforms was towards the strengthening of programme management.   Had there been the requisite drive and initiative, programme executives could have wielded the various strands of reforms into a dynamic system of management focussed on Performance Budgeting.   The failure of the spending departments to wield Performance Budgeting as an effective tool of programme implementation was demonstrated by the fact that MIS was contemplated as an additional element in programme management.

In fact, the involvement of the various echelons of development departments in the preparation of performance budgets has been minimal. In the initial years, performance budgets were prepared for selected departments by a special cell located in the Ministry of Finance. Even when the responsibility for the preparation of performance budgets was placed squarely on the shoulders of the spending departments, the budget and accounts cell or a couple of accountants were entrusted with the recasting

of the conventional budgets on a performance basis. The line managers are hardly involved in the process of preparation of Performance Budgets. How can the various echelons in programme management be expected to use a budget in the preparation of which they are not rarely involved? Unfamiliarity with the concept especially at the top levels of administration was one of the important factors responsible for the widespread executive indifference towards Performance Budgeting.

Even the parliament whose financial committees promoted the installation of performance budgeting with unabated enthusiasm did not care to focus Parliamentary debates on performance budgets. Placing performance budgets before the parliament has, therefore, become a ritual and a routine. Moreover, the preparation of Performance Budgets once every year has not been conducive to programme management which needs budgets for shorter periods in terms of which they could monitor and control performance. Thus, performance budgets have suffered from neglect both in the hands of the legislative and executive wings of government.

The situation is worse in the case of state and local governments. The local governments have neither the awareness and inclination nor the expertise to switch over to performance budgeting. There has been wide variation between states in respect of their response to Performance Budgeting. There are many states which are yet to get initiated into the new system. Even states which prepare performance budgets do so more as a modern veneer than out of a real concern for wielding it as an effective tool of programme implementation. The climate for decentralisation of financial management has been weaker. Accounts have not been departmentalised. Above all the reluctance to accept administrative innovations and tools and techniques of modernisation is stronger in the states.

It is thus obvious that tools by themselves will not lead to better performance. Much depends on the strength of purpose, skill and creativeness of those who wield the tools. As a tool, performance budget is by no means a substitute for responsible public administration. It would, however, be an effective means of harnessing the energies of all those who are involved in the managerial process for improved performance. But, where the environment is not congenial, improved efficiency would depend more on changing the environment than on the creation and installation of new tools and techniques of management.   □

The Irrational in the Budget Process

Frank Marutollo

THE BUDGET process in the federal government ranges from the specific particular work efforts of low level budget analysts in the bowels of the bureaucracy to top level considerations of social policy questions contained in the President's budget and the laws finally passed by Congress. Typically, the most interesting aspects of this world have been the macro considerations of the budget as a vehicle for policy implementation, the 'theory' of budgeting, and the budget as the primary mechanism of effecting the particular purposes of an organisation.[1] Examination of different kinds of budget frameworks such as "planning, programming and budgeting" or "zero based budgets" have been made in detail;[2] particular and exacting analysis and review of specific budget concepts and ways of presenting, arranging, and justifying data have been made and continue to be made in every federal agency;[3] and critical self assessments of processes, procedures and concepts are constantly being explored, examined and revised.[4] However, in this self appraisal process, it is not common for the actual work world of the individual budget analyst in a specific budget shop in a particular federal agency to be explored and analysed. The focus of this paper will be on that world—the world of specific budget analysts in definable specific budget shops in one federal agency. The federal agency used as a point of reference will be the Marine Corps and the specific budget shops will include the people, processes and behaviours involved in preparing the Operation and Maintenance Marine Corps (O&MMC) and Procurement Marine Corps (PMC) appropriations.

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[1] See Albert C. Hyde and Jay M. Shafritz (eds.), *Government Budgeting: Theory, Process, Politics*, Oak Park, Ill, Moore Publishing Company, Inc., 1978.

[2] See David Novick, *Program Budgeting: Program Analysis and the Federal Budget*, Cambridge, Mass.: Harvard University Press, 1967 and Peter Pyhrr, *Zero-Based Budgeting: A Practical Management Tool For Evaluating Expenses*, New York, Wiley, 1973.

[3] See *DOD Budget Manual*.

[4] See GAO Reports LCD-77-351, "Military Construction Standards Should Be Updated to Better Meet User Needs and Save Money"(April 3, 1983); PAD-81-19, "Federal Capital Budgeting: A Collection of Haphazard Practices" (Feb. 26, 1981); PAD-81-31, "Funding Gaps Jeopardize Federal Government Operations" (March 3, 1981); PAD-81-36, "Federal Budget Concepts and Procedures Can be Further Strengthened" (March 3, 1981)· and Also see, "A Selected Bibliography on Budgeting and Expenditure Control", International Monetary Fund, Fiscal Library, 1980

The budget work world as experienced by individual budget analysts ranging in grade from GS-5 to 15, can be broken down into two types. First is the actual work events of this world. *e.g.,* the preparation of specific budget documents, the gathering and coordinating of various programme data, the justification process within and outside the agency, the accounting and reporting function and the like; and second, the *meta-world* in which these events take place, that is, the 'structure' of the world in which these businesslike content-oriented details and work tasks occur.   This structure can be characterised as the "phenomenology' of the budget workworld, *i.e.,* the world as experienced by budget analysts as they put the details of an agency's budget together.

In exploring this world, this paper will contrast events experienced in a purely phenomenological sense with the same events as 'interpreted' by the experiencing agents. In many cases, these interpretations go way beyond what can or should be legitimately inferred from the given experiences. An exploration of the contrasts between the 'given' and the 'interpreted' experience will be laid out in detail below.

IRRATIONALITY IN THE BUDGET WORK WORLD

Specifically, the intention of the paper is to explore the budget work environment in order to discern the structural element of irrationality in that environment.   This structural element is not immediately apparent and requires an abstraction from the immediacy of experience to fully appreciate its presence.   The process requires an unprejudiced neutral description of what is actually perceived. To give a flavour of what exactly is meant by this procedure, the following quotation from Charles Sanders Peirce from his "The   Architecture of Theories" concerning his perception of the structural elements of firstness, secondness and thirdness in the world-at-large is provided below:

Three conceptions are perpetually turning up at every point in every theory of logic, and in the   most   rounded   systems   they occur in connection with one another.   They are conceptions so very broad and consequently indefinite that they are hard to seize and may be easily overlooked.   I call them the conceptions of First, Second, Third. First is the conception of being or existing independent of anything else. Second is the conception of being relative to, the conception of reaction with, something else.   Third is the conception of mediation, hereby a first and second are brought into relation. To illustrate these ideas, I will show how they enter into those we have been considering.   The origin of things, considered not as leading to anything,   but in itself, contains the idea of First, the end of things that of Second, the process mediating between them that of   Third.   A philosophy which empha-

sizes the idea of the One is generally a dualistic philosophy in which the conception of Second receives exaggerated attention; for this One (though of course involving the idea of First) is always the other of a manifold which is not one. The idea of the Many, because variety is arbitrariness and arbitrariness is repudiation of any Secondness, has for its principal component the conception of First. In psychology Feeling is First, Sense of reaction is Second, General conception Third, or mediation. In biology, the idea of arbitrary sporting is First, heredity is Second, the process whereby the accidental characters become fixed is Third. Chance is First, Law is Second, the tendency to take habits is Third. Mind is First, Matter is Second, Evolution is Third.[5]

As can be seen, Peirce argues that the environment of the world in general contains three main structural features, firstness, secondness and thirdness which condition all other experiences. In the same manner, we will attempt to describe the structural features of irrationality in the budget work world as it conditions other elements in that world. This description will be in phenomenological terms, *i.e.,* the structure will be described as experienced, not as has been traditionally interpreted in common sensical terms. No causes for the structural element will be searched for; only the warranted assertions or conclusions that flow from the described pure experience will be recorded.

IRRATIONALISM AND HUMAN WILL

The literature of the social sciences in general and public administration in particular often treats the issue of rationalist versus non-rationalist aspects of policy or organisational behaviour.[6] The rationalist position, that is, the process of developing a clear plan of action prior to implementing any of the acts, appears to be a statement of an ideal rather than a realistic programme intended to be actually acted on.[7] Presumably the Soviet Union's idea of central planning is an attempt at the rationalist approach with a vengeance. But as with all presumptive rationalist schemes, failure seems to be built into the process and outcomes vary far from those intended are the usual reality. The literature is large on this issue with the more soundly empirically based view demonstrating that completely rational

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[5]Justus Buchler (ed.), *Philosophical Writings of Peirce*, New York, Dover Publications, 1955, pp. 322-3.

[6]See Charles E. Lindbloom, "The Science of 'Muddling Through' "and Amitai, Etzioni, "Mixed Scanning: A Third Approach to Decision Making" in Alan A. Altshuler (ed.), *The Politics of the Federal Bureaucracy*, New York, Harper and Row, 1977, pp. 119-32, 139-46.

[7]Robert L. Lineberry, *American Public Policy*, New York, Harper and Row, 1977, pp. 9-37.

action in a large organisation should be regarded, under current technologies of knowledge, practically impossible.[8] This conclusion is certainly true in the budget work world. A simple analogy, easily imagined, and very likely a highly accurate picture of the organisational world we live in, portrays this picture very graphically. This is the analogy of the ant.

Consider an ant building an anthill by the edge of the sea. From the ant's perspective, the ant knows how to get the sand to build the anthill and, in quiet times, all appears under rational control. But this ant is in an environment all features of which are not or cannot be perceived by him. For example, what does he understand to be the reason, cause or explanation of the catastrophe when one day the sea, which he didn't even know was there, rolls over the anthill as a result of forces totally beyond his control or imagination. Similarly, how does he understand in a rational way the event of his anthill being stepped on by a person passing by, an agent the ant could never have ever imagined as being an ingredient of his world.

This simple analogy so easily understood and so easily seen to be applicable to all agents conditioned by a particular context or environment, should be taken as a given in the normal large organisational work world. As a matter of fact, its inferred reality is experienced on a daily basis in any large organisation. In fact of its ever present occurrence, adoption of rationalist attitudes about controlling all but a fraction of organisational life must *a priori* be regarded as illusory.

No claim is made that the unexplained or unexplainable is *necessary* and uncorrectable or even beyond human understanding and control; but from a phenomenological point of view, for finite individual worker ants, (read budget analysts), the organisational world in general and the specific budget work world in particular, must be considered to contain intractible, unexplainable, and unpredictable irrational elements. In effect, there is sufficient phenomenological evidence available to allow a rational inference to the effect that the budget shop in a large organisation should be conceived as an island of rational agents performing a set of rational acts within the limits of its perceived reality; but that overhanging this island is a contextual net, a nether world, of unperceived events or possible occurrences which operates on this environment in an unpredictable way. In the large, these events may form a rational context, but this context is certainly well beyond the experience of any individual agent. These unpredictable actions form the basis of the 'real' experience of the irrational in the large organisation as a whole and the budget work world in particular.

Thus, it is a phenomenological truth that the budget work world is not a totally rational context, that *fully* rational conduct cannot be performed therein, and that it is not totally amenable to human will. To conduct

[8]Charles E. Lindbloom, *Politics and Markets*, New York, Basic Books, Inc., 1977, passim.

business in the budget work world with the idea that a person can issue an edict or rule to stabilise or rationalise or make total sense of the events occurring therein is an illusion of the first order. This latter type of organisational budget behaviour is quite often adopted in the face of deadlines not being met, the agony of budget documentation taking forever to be completed, or no-one ever knowing for sure what inflation rate, unit cost, or exhibit format will finally be required. In these situations, proposals like "If the General told you to get the thing done today it would get. done" are made. These proposals are a phenomenological illusion, that is, they are similar in form to trying to hold back the sea as it engulfs the anthill. It has some effect but not very much. It is merely a short term effort at instituting control. In some cases, human will is as feeble as the ant trying to "stem the tide" before being overwhelmed.

The above discussion builds the general argument for the experienced reality of the irrational as a normal ingredient in the budget world. The next sections provide specific examples of how the irrational should be considered to be a phenomenological given in the budget process itself.

THE SEAM

πὰVTaPEῖ   —All is Flux[9]
                    —*Heraclius*, 470 B.C.

Belief, Rational Expectation and Reality
In the ordinarily experienced world, there is often a marked conflict between a set of beliefs, whether based on faith, intuition or rational expectations derived from a body of practical and theoretical knowledge, and an intractible reality that conflicts with these beliefs and rational expectations. Examples range from religion to the abstruse theorems of scientific theories. In many instances, the retention of belief is adamantly held and only reluctantly released in the faces of perverse facts conflicting with the belief. These held beliefs are all the more strong, the more theoretical or non-empirically based they are. Denial of empirically recalcitrant data is not an uncommon story both in the history of religion and science.

In the budget world as experienced in most federal agencies, there is a fondness for the notion that things and events should be systematic, rationally developed, logically derived and, within limits, yield finite, specific, defendable and final results. That is, given the necessary guidance, time, data and good sound budget training, both practical and conceptual, a good budget should be able to be developed, packaged, finalised and delivered for any particular submission period.

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[9]Milton C. Nahm, *Selections from Early Greek Philosophy*, New York, Appleton-Century-Crafts, Inc , 1947, pp. 84-97.

These statements represent the normal beliefs and rational expectations of most budget people and continue to be their beliefs in spite of an experienced set of recalcitrant facts to the contrary.   As a matter of actual fact, very few budget events ever stop changing at any time during the process. Of course at any point in time everything is fixed and finite.   But instants of time are only moments to pass through to the next instant, at which time the previous fixity has changed to another fixity, sometimes before one has even mastered the previous fixed point. The world in general is in flux; the budget world is also in flux   with stability-persisting-in-time an unnatural feature of that world.   ("You could not step twice in the same rivers; for other and yet other waters are ever flowing on." *Heraclitus*, Fr. 41).

In spite of the persistent presence of the constancy of change, budget people insist that this inconstancy of budget data, guidance, judgements and details is merely a function of inefficiency within the system; can and should certainly be corrected with improved management practices; ("if only people would make up their minds about what they want"); and regard it as a virtue of the highest order to strive to eliminate this irrationalism from an essentially rational process.   These beliefs tend to drive out acceptance of the constancy of flux as a real event in its own right.   On the contrary, flux is regarded as an aberration that must be expunged from a soundly run budget   organisation.

This general statement about how practically everything changes in the budget world: for example, changed programme data, changed deadlines, new guidance coming very late, plus-ups, what ifs, outlay drills, late breaking decisions, etc., is a very common and universal experience in this world and should be easily recognised by experienced analysts without the need to elaborate.   The key point made here is that   practically everyone regards this as unnatural, essentially correctable, and certainly amenable to will and decisiveness.   It is regarded merely as a signal of the inefficiency of the organisation or the hopelessness of attaining coherence, coordination and a parity of skills in unmanageably large organisations.

Phenomenology and the Suspension of Belief

The phenomenological viewpoint takes as a given the suspension of all belief about perceived data and tries to observe what is in fact given in the experienced event.   Notions about what causes the data, what the data is really generated from, or what the data ought to be, are stripped from the pure experience.   The experience alone is embraced and examined. So too with the constancy of change in the budget world.   Suppose one suspended the intuitive beliefs about how things should be or the belief that this constant flux of unstable data is merely an aberration in the system, and accepted 'changingness' as a structural element in the process as a whole.   The annoying problem with the instability view is that this constant changing of things remains intractible and unamenable to human will and decision.   It

persists with a life of its own and resists taming. Most analysts live with it but don't believe it is a permanent or chronic condition built into the process itself. ("In the same rivers we step and we do not step; we are and we are not." *Heraclitus*, Fr. 81). If one adopted the phenomenological point of view, at least experimentally, one might, for a time, suspend belief that flux is really unnatural and take it as permanent given in the budget world. Since its causes, grounds or generating conditions are illusive and hidden ("Nature loves to hide." *Heraclitus*, Fr. 10) it appears eminently reasonable to strip conventional thinking of the theoretical belief in constancy and adopt the behavioural and operational belief in the permanency of instability in budget development and in the budget environment as a whole.

The Seam and the Experience of Flux in the Budget World

To restate, flux in the budget world is illustrated by the following examples : a programme manager arrives with his tenth change to a production schedule because he now has better or newer data; inflation rates have been changed again for the third time; computed savings in a programme must be revised due to new factors that must be considered; a new budget form has been introduced at the same moment that the budget is due; a major error in data development has just been picked up in a subprogramme affecting every other budget document in that submission; or that *other* agency has just rerun its unit prices right at submission time requiring a revision of all previously calculated unit prices, etc. This state of constant revision and change never ends. There is no finality. It goes on right up to and beyond the submission date of a budget. From a phenomenological point of view one is driven to believe this condition is not a correctable aberration but an intrinsic chronic condition in the system itself. Its causes or explanation appear to require a profound sociological examination of the nature of the large organisation, that is, the social system of coordinating complex thought process of many discrete individual minds coupled with the uncontrollability of independent physical events. In the face of this prospect, the participant in the process would do well to regard flux as permanent and fixity as illusory.

But a budget does get put together; it is submitted; the next one is built on the former and so on. There is finality in the process in the end. How is this compatible with the observations made above?

If one examines the conditions that finally allow for some stability and fixness, *i.e.*, the budget is finally put together and submitted, one will observe that endingness comes from *events wholly external to the process itself*. This is the concept and phenomenon of the 'seam'. What closes down the budget development process? Usually it is things like "The computer is being locked up today. No more data can be entered"—an event wholly external to the budget process itself—a contingent, physical, non-conceptual

non-substantive event. (Note there usually is a second computer run belying even the reality of this seam). Another example is the occurrence of temporal events. "The fiscal year begins today. We've got to move on from last year even though everything is not yet 'cleaned up'; we've got to start spending this year's money." (Note even this is not entirely true. Cite Congress and no appropriations. The events don't end; they just flow on.) Another example is to introduce arbitrary close down dates into the process : "No changes after May 10" (Famous last words).

The point is that the reality of the constancy of flux in the budget world seems phenomenologically to be curable largely, if not only, by the introduction of an event external to the process itself, *i.e.*, 'the seam', which causes the flux to 'dip' or 'stop' for a moment so that the process can appear to have some beginning and ending points.

The notion of the seam is derived from two analogies. The first relates to the analogy of the flowing river. Nothing stops the river except perhaps for a beaver's dam constructed across it, stopping its flow temporarily. That is, it is the introduction of an event external to the nature of the river causing the river to 'dip' at that point and appear to stop or attain some point of fixity. But the river rumbles on below and sometimes even overcomes the beavers 'seam'.

Another homely analogy from which the word 'seam' was derived involves the common bedspread. Many bedspreads are all of one piece with no interruption to their continuum except for designs created by indented *seams*. If the budget world were conceived as the river or the bedspread, it can be seen to be one flowing and constant pattern going on forever. Only by introducing the beaver's dam or the bedspread's seam can any relief to the constant flux be seen to exist. Without these imposed events external to the system itself (the dam, the bedspread's seam) can any relief to the indifferentiality of the process be distinguished. Thus it is argued here, from a phenomenological point of view, that the budget process can be conceived of as in ever-flowing 'river' or an undifferentiated 'bedspread' with no liklihood of stopping or being differentiated except by the introduction of an artificial event or idea external to the system to temporarily stop the ever moving flow.

The question of whether this flux description is true is irrelevant; it is an operational reality and should be conceived as a permanent feature of the budget environment just as hard objects are pragmatically thought of as permanent features of our physical environment in spite of what their "real" nature may be.

Budget Behaviour and the Seam

The lesson of the above analysis is that serious budget people should for all intents and purposes operationally abandon notions of fixity and finality in the budget process. These beliefs usually lead to unproductive

organisational behaviours directed at 'improving' the system by trying to find mechanism based on will, decision, organi ational improvements, skills development, etc. to 'correct' the flux problem. Rather efforts should be redirected at finding appropriate 'seams'. With the thoughtful and judicious introduction of seams into the budget process, the process may very well attain some of the degree of rationality and stability so much thought to be necessary for sensible and consciously controllable budget development. Without the clear, deliberate and conscious introduction of seams into the budget process to rationalise and stabilise it, it cannot presently be said that budget development fully coincides with the policy intentions originally driving it both from the view point of the individual budget shop in a specific federal agency to the national budget as a whole. This is so because without the conscious introduction of the seam, the budget process becomes truly uncontrollable and unamenable to human will.

THE DEADLINE

Of the numerous examples of the interminability of the never-ending in the budget world, the specific example of the deadline merits its own discussion. The deadline is in fact almost a geometric corollary to the reality of the flux problem. *The Iron law of the deadline is that all material necessary to perform a budget act becomes available just before, or exactly at the time of submission.* Usually, the original submission date is not unreasonable and in fact quite in accord with most expectations of the rationalist's attitudes involved in the budget. Normally, the deadline is set allowing substantial time to complete the budget event well in advance of the overall organisational requirement to submit the final product, *e.g.,* the Navy imposing a deadline on the Marine Corps for a Navy Submission to the Department of Defence. There is an overwhelming temptation to analyse the deadline rule [(*i.e.,* that information and other elements necessary to complete the budget task become available right at or on the deadline date *no matter* how many times the deadline is extended (remember the seam), as abnormal and a sign of inefficiency, ("that's only your experience")]. In fact, when first experienced, the budget analyst feels guilty of all the organisational sins implied above. Surely, he should be able to improve the situation to meet his deadline. That's his job.

But when the phenomenon constantly recurs in the face of all purposeful actions to modify it; when it is perceived to be endemic in related and adjacent budget shops; and when it is perceived to be almost universal throughout the entire budget community at all levels, one begins to suspect that the phenomenon is more than casual and in fact is driven by factors not physically perceived (compare the analogy of the ant) but whose effects are real and resistant to deliberate acts of human will. The causes are hidden;

the experience is real.   Denial of the reality of this untamed example of the seam is a stubborn refusal to abandon the rationalist viewpoint.   How can a person, in all reasonableness, not be able to control this recalcitrant data? Just get more efficient budget analysts; just streamline the system; just get more coordination; just meet the deadline or else. Rationalist approaches all.

The argument here is not to abandon attempts at improving inefficient and correctable inefficiencies or to treat all problems as examples of the irresistable against which it would be futile to fight back, but rather to emphasise that perhaps some of these recurring, persistently irresolvable, stubborn, recalcitrant events are not driven by factors in the environment that are amenable to the participant's decision and will.   If one accepts the possibility of the irrational in the process, other strategies of action become possible and may in fact be better suited to dealing with these stubbornly recurring factors than those suggested by purely rationalist analysis.

A fruitful future effort would be to develop profiles for testing whether events are likely to be examples of the rational and controllable or irrational and resistant.   No tests are offered here except the urging to *pay attention* to the *recalcitrant* in the budget process.   If phenomenological and pragmatic evidence exists that an event is in fact resistant to human will, treat it as if it were irrational and build strategies around it.   Attacking it head on will usually lead to failure and personal guilt at not being successful in solving the problem.   It will probably lead to adopting a set of actions wholly inappropriate to the situation if the situation could be perceived from the perspective of an observer external to the system in which the event is occurring: when the ant tries to confront the ocean head on, it drowns.

Human reason feels utterly uncomfortable when confronted with the prospect of having to deny its own power in solving events in the world, or when it cannot easily discern events actually limiting it.   Why people working in large organisations persistently refuse to accept the irrational is mysterious in face of its pervasive presence.   In large measure this attitude derives from management mythologies about what people should do in organisations.   What actually is occurring is quite easily denied if it is not in conformance with some archaic assumptions about the social and physical work world. The environment of work is much more complex a set of happenings than can be comprehended by most of the minds existing in it.

A basic presumption of the uncritical mind in the work world is to assume that all events experienced therein are experienced in their pristine innocence, are fully understandable if diligent attention is paid to them, modifiable if sufficient effort is applied to the task, and certainly fully amenable to human will and decision if only one had the proper amounts of leadership and decisiveness.   So said the ant as he was crushed by the unexpected and uncalculated foot or swallowed up by the unknown and heretofore unperceived ocean.

ORGANISATIONAL PERSPECTIVES AND IRRATIONALITY

Another example of how less than rational elements exist in the budget world arises from the actions generated from different organisational perspectives. The organisational perspectives problem is the classic communications problem in large organisations. One level doesn't have access to the other in a readily easy way due to organisational and physical distance. And whenever these different organisational layers interface, *e.g.,* transmit budget messages and data between them, the message or meaning is usually garbled, misunderstood, misinterpreted, etc. This experience is quite common and understood, and everyone constantly tries to solve it with rationalist solutions (which are effective to a large degree). But one should now realise that not all elements of the solution process may be amenable to specific rational actions of improvement. It is the intention here to suggest some places where the organisational perspectives problem may contain areas of structural irrationality.

The first element to note is that organisational subcomponents are made up of little mini-worlds which are buffered from other mini-worlds, whether these worlds are three feet away or two miles away. Organisational mini-worlds, usually built around coherent organisational units of 2 to 10 people maximum, form the social molecules of organisational life. The social, psychological and work-content dynamics existing in these mini-worlds is not immediately available to other mini-worlds even if these other worlds are no further away than 2-3 feet. A whole society is built up in these mini-worlds with developed conventions, interperative conceptual frameworks, and sensitised perceptions of interpersonal actions. Mini-worlds are real and are cut-off from other mini-worlds in the sense that outsiders are like foreigners in a foreign country. Outsiders perceive similarities to their own mini-worlds but are not true participating members of that world. They do not experience the data in the same way as the members.

The delimitation of these mini-worlds is variable but really does not extend beyond about 10 people at the outside. Since mini-worlds do not have readily perceivable boundaries, they are often not perceived to exist as real social entities. It is not uncommon to regard the whole branch of 40 people in the same room as one entity. From an organisation chart point of view—yes; from a mini-world point of view—no.

In these mini-worlds, it is demonstrably the case that there are phenomenologically different 'facts,' 'concepts,' 'knowledge,' 'meanings', from other mini-worlds. That is, while nothing in one mini-world is *radically* different from another mini-world, events in each are sufficiently different to form the basis of the classic communications problem noted above. But more importantly, from our point of view, mini-worlds act as the genesis of irrational elements in the organisation in general and budget world in particular. The point of interface between organisational mini-worlds

is the place where irrational elements start to arise.

These inherent communications problems are compounded further when it is realised that within these mini-worlds each actor has different levels of personal knowledge, different conceptional and theoretical frameworks out of which he operates, and different 'facts' from other actors. These differences make for problems within the mini-world itself. Imagine the potential for problems between actors of two or more mini-worlds. Further, people in organisations, not really experiencing these differences as a reality (as they experience the reality of answering a Congressional question or filling out a budget document) do not operate toward these phenomenologically true events in appropriate behaviourial terms. Rather most actions and interrelationships are performed *as if* there were no significant differences between mini-worlds. Indeed most people act with the conscious rational belief that no real significant intrinsic problem exists between their organisational mini-world and other related components. Thus, we have the beginnings of problems engendered by the irrational.

The irrational elements arise specifically under the following scenario. Each person, not behaviourally in command of the mini-world problem, acts as if he were acting for all persons generally. He asks questions, demands answers, levies requirements, provided data, etc., *as if* everyone were similarly conditioned by the same mini-world. Thus, he treats his mini-world as a universally experienced macro world. Until perception of the limits of one's mini-world are more sensitively perceived and behaviourally mastered, to be overcome only by deliberate, diligent, conscious acts of rational thought and behaviour, irrationalism will exist of necessity as an intrinsic element of the budget work world. Obviously, these irrational elements are not totally controlling in the work world, as they are not totally controlling in general. The only intention here is to point out and phenomenologically describe their reality and to urge greater behavioural recognition of their effects.

To give a feeling of how this organisational perspective problem manifests itself in the real world of budget development, the following passages from an article of mine on the nature of competency published in the *Indian Journal of Public Administration* (Vol. XXVIII, No. 3, pp. 523-5) are provided:

Budget Review Between Mini-Worlds
In the Department of Defense (DOD) budget world, there occurs a period of great temporal and analytic stress during October-November of each year. This is the so-called budget markup period when a DOD budget analyst drafts a budget challenge [called a Programme Budget Decision (PBD)] to an agency's budget. These challenges are usually no more than one page in length and require a twenty-four hour response time. The PBD usually involves a budget critique on very complex programme areas by generalist financial managers who for the most

part have not mastered the intricacies of the programme area they are examining. Thus, in spite of intimate agency—analyst/budget-analyst 'hearings', position papers, etc., many PBD's when issued are quite opaque and in many cases downright wrong. Since the PBD process is highly stylized and organisational formalities are strictly enforced due primarily to quasi sanctioned leaks of the PBD prior to official issuance (called 'advance-advances'), no contact with the DOD analyst is possible. Consequently, how to understand, let alone answer, these vague, opaque, obscure, and wrongly argued PBD's is a task requiring the greatest of personal mind talents. The competent analyst applying personal mind must not only try to understand the criticism, he must many times put meaning *into* the criticism. This skill of handling these kinds of temporally constrained and programme stressed situations with a sharp mind is a prime example of the application of highly competent personal mind.

Data Gathering Between Mini-Worlds

Any person who has ever gathered information from a 'field' source knows that no full set of prior acts can ever insure input accuracy. No matter how exhaustive the written instruction, the verbal presentation, the redundant explanation, etc., the first data input reply will contain errors...It is insufficient to rest with the apparent aspects of gathering 'far' data to a 'near' base point. If one stops with the written instruction, verbal communication and all the remaining conceptual and rational acts involved in data gathering, one will fail in acquiring accurate and consistent data.

One of the...solutions to the far-near data gathering problem is to personally find the exact person or persons providing the data and to exactingly go through the report preparation one-on-one with that person at least one time, examining every detail, ambiguity and nuance of the data gathering process. Without doing this act of competency, it is a totally known truth that the data will be inaccurate and wrong.

Budget Coordination Between Mini-Worlds

In my work environment, the preparation of the budget requires the intimate relationship of three organisational groups made up of one to three persons per group. One group has a high personal mind competency index; a second has high but slightly defective index; and the third, has a low index. The originator of this particular budget data, *e.g.*, analysis of utility costs, transmits a slightly inaccurate task solution to the low index group. This group instead of analysing the inaccurateness of the first group's solution (applying personal mind to the proposed task solution) merely passes on the data (now attenuated or weakened by the very fact of being a transmission point) to the high

competency group, further garbling the data in retransmission. Because the high competency group applies competent personal mind to the proposed task solution, the feedback to the first group is made correcting not only the original inaccuracy but the noise introduced by the incompetent intermediate group. Note that social mind involves the traditional elements of coordination and feedback, etc. But without the high competency group being the last *link* in the chain, the organisational index of this organisation would be quite low. This would be characterized by embarrassing mistakes in the budget after it has left the agency. Imagine if the competency chain (social mind) had been excellent-to-good-to-poor; the data would probably decay from its original high accuracy to some inadequate final product, just due to the data loss occurring in transmission and the inability (incompetency) of the later transmission groups or person to pick it up and hold the 'signal' strong.

<div align="center">PURE ERROR</div>

One of the most conspicuous causes of irrationality in the budget process is pure error. Pure error means outright mistake in preparing a budget whether it be in the requirements phase, the presentation and budget back-up stage, or the accounting stage.

Budgets generally are prepared with a high degree of conscious rational action. Deliberate and elaborate efforts are made to determine requirements via input from the field or headquarters programme sponsors. As can be imagined, in any work context, different people have different ability and skills. Some budget people are over their heads in their jobs and these same people sometimes are in key linking pin type positions. That is, they are crucial connectors between a programme sponsor and a requiremens allocator. It is not uncommon for the results of an elaborate, 3-4 months requirements process [in the Department of Defense and Marine Corps it is called the Program Objectives Memorandum (POM) process] to be virtually subverted by the *pure error* of one of these careless connector analysts. Normally they are not direct participants in the requirements development, don't really understand the programme area they are a vital link in, and under the pressure of 'deadlines' and the like, neglect coordination outside their mini-world, and *write down* on the controlling budget documentation blatantly wrong figures or data. Of course the programme manger eventually discovers the error one pleasant afternoon. Eathastrophe arises; threats of dismissal are made; tensions mount; and penalties threaten. In the end, the pure error stands and the programme manager lives with it, awaiting future correction or reprogramming, which may or may not take place.

Granted the above description appears to be a correctable error. But

what about pure error that takes place by the programme manager himself which is not picked up by the requirements people. "Oh, I double counted inflation. I thought my figures were in constant dollars," says he, thereby taking away millions, yes millions, of dollars from available obligational authority. Similarly, requirements determiners sometimes operate with significant misconceptions about what constitutes the amount of 'something' that equals the allowed requirement, *e.g.*, as laid out in the DOD Defence Guidance for POM development. Not infrequently many millions of dollars of pure mistakes are made in the process, a process developed with rationalism as a conscious parameter. Checks and balances abound; scrubs and rescrubs are constantly made; briefings and rebriefings are made over and over again; critical reviews into the core are attentively repeated; and programme managers nurture their programmes with a vested interest bordering on the personally owned. And yet major mistakes, pure errors, are made.

Is this a normal expectation? If yes, one has just accepted the irrational as a normal ingredient in the budget process. For what is pure error? Pure error means that any outcome is possible, subverting all the conscious intents and purposes of the budget process itself. It is analogical to an inconsistency or contradiction in the postulates of a geometry or other mathematical calculi. If two postulates are contradictory, both A and non-A are theoretically derivable, totally destroying the purposes or usefulness of the original postulate set. Isn't that what makes all of us uneasy about Gödel's theorem which shows that proof of consistency among the postulates of arithmetic is not inherently possible?[10]

Thus, in the budget world, if pure error exists, (and it does to an uncomfortably large degree effecting not insignificant amounts), those original macro purposes of the President to beef up defense, and those original rational purposes of the agency to strengthen this or that weapons system, and those original purposes of the programme manager to implement this or that directive, all go for naught in the face of pure error. Where it lurks remains a mystery until the day of the big embroglio but lurks it does. One can be sure that pure error exists in significant proportions in all budgets built in large organisations. It is really not 'all right' since it can effect millions of dollars and have very adverse impacts on programmes.

Pure error is uncontrolled budget action; it is not based on human will or decision; it can yield utterly unintended results. It is another example of the intrinsically real presence of the irrational playing a significant role in the budget process.

SUMMARY

The intent of this essay was to show the phenomenological reality of the

[10]Ernest Nagel, and James R. Newman, *Gödel's Proof*, New York, New York University Press, 1985, passim.

structural element of irrationality in the budget process.   An attempt was made to show that irrationality is phenomenologically experienced but not always consciously or behaviourly recognised as a real element in the budget world.   Some causes for irrationally have been described in the discussion of the flux, the deadline, organisational perspectives, mini-worlds and the phenomenon of pure error.   No solutions are proposed; the only intent is to underline its real presence and to urge that it must be treated with conscious and deliberate attention.   □

Irrigation Project Organisation: Coordination of Government Departments/Authorities*

T. K. Jayaraman

DEVELOPMENT ADMINISTRATION involves a multiplicity of agencies in a complex system characterised by their apparently different purposes, loyalties and attitudes but brought together with a common objective of effecting changes and innovations as contrasted with the desire of maintaining the *status quo*. Some of the agencies involved may be new and recent ones, functioning along with the old ones of routine administration, such as police and revenue collecting.[1] An orchestrated combination of these agencies, through concerted movements brought along by the public mechanism, is more outward-looking. In this process, apart from associating the government units, involvement of the private sector bodies and the clientele, along with representation of major interests and voluntary associations, with development operations is critically necessary.[2]

Irrigation development or promotion of irrigated agriculture is no exception to the development process of synchronisation of activities and functions of several governmental units involved in the process. However, it is well known that much before the development concepts came to be accepted in South and Southeast Asia, the traditional systems of administration gave a high degree of prominence to irrigation departments in India, Indonesia and Thailand and these departments took a leading part in the

[1]For a brief review of past trends in the area of development administration relating to its meaning, content and procedures, see G. F. Grant, *Development Administration; Concepts, Goals and Methods*, Madison (Wisconsin), The University of Wisconsin Press, 1979, pp. 18-25.

[2]Associating all the units—both governmental and non-governmental, private and voluntary—has become a well-accepted procedure in the development process. For a detailed treatment, see S. M. Katz, *Guide to Modernizing Administration for National Development*, Pittsburg, Graduate School of Public and International Affairs, 1965, pp. 40-45.

promotion of irrigated agriculture.[3] But with the increased recognition of expertise and skills of other agencies involved—such as department of agriculture, credit institutions such as cooperatives, commercial banks and above all the critically significant nature of acceptance or otherwise of new technologies by the farmers, irrigated agriculture ceased to be a close pre-serve of a single department. The need for close association between various departments of government and agencies along with the awareness of complementarity of relationship between different inputs supplied by various departments is now very well appreciated.[4]

The method of bringing about synchronisation of action on the part of various agencies involved in the development process, is known as coordina-tion. The objective of this paper is to deal with the aspect of coordination in irrigation project organisation. The paper is organised into three sec-tions. The first section gives a brief review of various elements of coordi-nation and methodologies for achieving it in the context of developmental administration. The second section deals with the specifics of coordination in irrigation projects and the third section is a case study offering a critical review of some innovative measures relating to a unified organisation struc-ture where the coordinated efforts are internalised. The last section is a brief summary with policy implications.

<div align="center">ELEMENTS OF COORDINATION AND METHODOLOGIES</div>

Coordination at Different Levels

Administrative coordination involves many relationships at different levels. In a federal structure, it involves the coordination of state govern-ments. In a government, it involves coordination at the highest (vertical) level of different ministries and departments in regard to policy-making and supervision of implementation of policies, programmes and projects and also coordination between these bodies at the vertical level and also with their respective field offices. At the field, the coordination is of a horizontal type and it is between different agencies at that level. And finally within the agency itself, there is the coordination of various component parts of the organisation, of line and staff officials and divisions, of labour and manage-ment, and of specialists and jurisdictions.

Whatever levels we may speak of, the term coordination signifies the one and the same thing, the combined action of units. In physiology, it would mean the combined action of a number of muscles in a complex

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[3]R. Chambers, "Basic Concepts in the Organization of Irrigation", in E.W. Coward, Jr. (ed.), *Irrigation and Agricultural Development in Asia*, Ithacca, Cornell University Press, 1980, pp. 28-50.

[4]T. K. Jayaraman, "A Case for Professionalization of Water Management Tasks in Irrigation Projects in India", *Public Administration and Development*, Vol. 1, No. 3 (July-September, 1981), pp. 235-244.

movement. In public administration the meaning is not much different: coordination is the harmonious combined action of agents or functions toward a given objective.

Coordination and its Relationship with Other Areas of Administration

Professors Dimock and Dimock, while distinguishing the often interchangeably used terms, coordination and cooperation, observe that cooperation provides the foundation for effective coordination but it is by no means the whole of the matter. Coordination is a more detailed function where cooperation provides the atmosphere for discharging the most arduous function of coordination. Similarly, they discuss the bearing of coordination on all other important areas of public administration. *Organisation* determined by structural arrangements provides the arteries along which coordination flows, but organisation by itself is not self-coordinating nor self-energising. *Planning* indicates the objectives and logical steps in an unfolding strategy of moves and procedures but no plan is implemented without coordination. *Leadership* and direction of work, as in supervision, involves many things but productivity will be limited unless coordination brings together that which is expected of each component in the overall operation. And, finally, *control* which involves coordination so closely evaluating costs and progress on a time schedule with regard to objectives but coordination is more than control in terms of detailed functioning as an active agent, for as in physiology, energy and performance depend so much on linkages involved in the total operation as they do on the energy contributed by each component part.[5]

Human Aspect

In a complex situation, where multiple agencies are involved, coordination has two essential aspects in regard to nature of the function: a state of mind, which is the human aspect and the second, a method, the juxtaposition of physical things and processes, which is the operational aspect. The two are indeed the two sides of the coin and without the human factor, the physical or mechanical efficiency by procedural means cannot be accomplished. Prof. Ordway Tead rightly stressed the human relations approach to administration. It means using coordination to bring about that common understanding which is essential for unity of intention and which yields a shared realisation of the social function of an enterprise.[6]

Talking of human relations, there is always a conflict between authority and freedom. Agencies in government behave as independent entities within certain spheres of freedom of action and independence of control

[5]This section heavily draws upon the discussion in the chapter on "Coordination : Energizing Action" in M.E. Dimock and G. O. Dimock, *Public Administration*, New York, Holt, Rinehart and Winston, 1969.

[6]Ordway Tead, *The Art of Administration*, New York, McGraw Hill, 1959, p. 194.

though they are aware of being cogs in the administrative machinery to achieve a single or a set of commonly defined objectives. If coordination is tigh ly imposed, people in the agencies feel constrained and frustrated. If coordination is loose, there is laxity. Therefore, it is necessary to have a middle position allowing maximum freedom within the processes of the right degree of coordination. To some, coordination, in the absence of such a middle position, means unnecessary interference, undesirable conformity and unintended integration, the impressions of which should be avoided.[7]

Coordination and Size

The complexity of coordination is directly proportional to the size of the area of operations signified by the number of agencies involved. Every increase in size magnifies the problems of coordination and people transfer their feelings about the size to the coordination process itself. The size of operation in the modern administrative state is a fact of life itself and the only way to deal with it is to coordinate as effectively as possible.

The bigness of the size leads to the issue of centralisation which is as much objected to as size itself. The only way to handle this is the geographical dispersion of activities by retaining the planning function at the centre, while the authority to execute is devolved far down the line and out into the field as possible.

Leadership

Finally, coordination, to succeed, needs unity of command or leadership. Without unity, coordination is weak in complex organisations because people and divisions may work at cross purposes. Without unity, leadership is thwarted, communication is slow and incomplete, planning is haphazard and a favourable relationship between input and output would become problematic.

However, one should not misconstrue unity as synonymous with authoritarianism. Because unity can be secured through encouragement of voluntary action. The quality of unity depends on, as in a pluralistic democracy, how it is achieved as well as on the degree of diversity and creativity that are deliberately encouraged in the operation as a whole.

Group Decision-Making

Within an organisation the leadership naturally devolves on the chief executive for bringing about the unity of purpose. However, while effecting coordination in a multiple management situation signified by the presence of several entities, group decision and group coordination come

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[7]Professors Dimock and Dimock very aptly cite the example of the ballgame, where the players coordinate voluntarily, whether the coach is present or not, *op. cit.*, p. 404.

into play. In business management, the group decision is practised when the division heads huddle together, not by prearrangement but whenever the law of the situation demands particular people to consult for particular purposes.[8] In public administration, the group decision is a result of a formalised process when certain designated people meet together at stated intervals. Here we refer to committees as agents of coordination and execution.

Committees for Coordination

There are two types of committees visualised for two different purposes. One is purely for internal purposes where the governmental departments operating with well delineated functions towards a common objective are represented. The committee performs the role of stock-taking of the past activities, planning for the future and reviewing the steps necessary to reach the immediate goals. In addition, it resolves conflicts through consensus and fulfils the need of a communication forum where agencies ventilate their real as well as imaginary frictions, apprehensions, doubts and suspicions about each other, which in the absence of such a forum often result in undesirable situations of these agents working at cross purposes. For these reasons, the committee is essentially an internal one which naturally precludes the participation of entities which are not members of the government. We mean here the private sector organisations, as well as semi-autonomous bodies which usually function outside the governmental ambit. These will also include credit institutions such as cooperatives, commercial banks, voluntary organisations and similar interest groups as well as the beneficiaries or the clientele group.

For the purpose of representing these interests as well as the beneficiaries and bringing them together with the departments involved in the developmental operations, another type of committee is envisaged. The representation for the departments in this committee is at the highest level in the project area and the leaders of the private sector agencies are nominated by the respective bodies. The interest groups are represented by the political leaders and nominated by the government or the legislative bodies. Because of the nature of the composition, the committee's main function is to air and discuss broad policy issues, ventilating grievances and bringing various points of view for the committee's consideration.

The usefulness of the roles played by those committees depends on the extent to which they have been built into organisations' structure, whether they are merely advisory bodies leaving the decisions to be made by individual department heads or whether the decisions made by the committee are

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[8]The term 'the law of the situation" was first used by Mary Parker Follet, in her *Creative Experience*, New York, Longmans Green, 1924. The term essentially signifies *ad hoc* operations as situation demands from time to time

binding by virtue of the powers invested in them due to some authority emanating from statutes appointing them or from governments' executive orders or decrees. Assuming the presence of some authority in these committees, it is always debatable whether they should enjoy a line authority or mainly a staff body.[9] However, it is recognised that the committee representing diverse interests in addition to the representation of all the operating department heads should serve as a staff advisory body but the committee, purely for the internal organisation purposes, should have some decision-making process so that their decisions are binding on the various departments participating in the committee.

There is no prescription universally valid for all situations. As Peter Drucker put it elsewhere on organisation structure, it can also be said on coordination that "the best structure will not guarantee results and performance. But the wrong structure is a guarantee of non-performance".[10]

COORDINATION IN IRRIGATION PROJECTS

Irrigation projects can be of different sizes ranging from the multipurpose projects cutting across the administrative boundaries in a country to small-sized projects, which are communally managed and village-based.

Three Categories of Projects

Bottrall has made three useful categories for the purpose of simplification.[11] They are : (*i*) Recently established irrigated settlement schemes with the specific purpose of supervising the planning and implementation of new infrastructure such as road and housing and social services such as schools and health, besides the central activities of irrigation management. The examples are new settlements in Africa or new settlement projects in Indonesia in the Outer Islands and in India in the desert area of Rajasthan in Asia. (*ii*) Schemes which have originally started as settlement schemes but they are continued specifically for the purpose of production of high value cash crops for the purpose of export. In these projects, besides supplying inputs of water, credit and technical services, the project managements' chief function is to market the produce by providing the single channel marketing mechanism in its organisation. Final payments are made to the farmers after deducting a sufficient amount from the amounts due to them to cover the cost of services, besides water and extension, especially those covering mechanised land distribution. (*iii*) Schemes

[9]For a good discussion on committees, see H. Koontz and G. C. O'Dornell, *Principles of Management*, New York, McGraw Hill, 1959, pp. 224-252.

[10]P. Drucker, *Management*, London, Heinemann, 1974, p. 519.

[11]A. F. Bottrall, *Comparative Study of Management and Organization of Irrigation Project*, World Bank Staff Working Paper No. 458, Washington (D.C.), IBRD, 1981, p. 73.

whose purpose is to supply irrigation water to already settled areas where farmers are allowed a relatively free choice as to the crops they cultivate.

Settled Agriculture

An integrated management or unified organisation structure will be more appropriate in the first and second categories since the area is new and everything has to be accomplished anew. But in the third type, the areas are already settled areas served by the existing departments catering to the need of agricultural services and credit and infrastructural development such as roads. Irrigation department when it enters the scene with the function of supplying water as an input, it has to operate in association with other departments in the promotion of common objective of optimising the use of land and water resources.

The departments already functioning in the area with a settled history of agriculture may have to be geared to the change in the technical aspect of agriculture, namely, availability of water which is a critical input significantly influencing production levels. There will be upgrading of the officials working in the project area to meet the new emerging needs of irrigated agriculture in terms of supplying complementary inputs and technical services and credit. We will be concerned with this horizontal structure of organisations at the project area rather than the vertical structure either at the provincial level, or state level in a federal set-up, where departments are more concerned with policy making and broad supervision over district or field offices rather than direct implementation of projects.

During the construction stage of an irrigation project, the leading role is assumed by irrigation department since most of the irrigation infrastructure development is its responsibility. The road construction in the project area would continue to be the responsibility of the highways department if the suggested roads have not been in existence before and are now suggested as a project component for better communications for movement of materials. Similarly, if it is contemplated to have lands acquired for the storage reservoir, construction of dam and other components such as canal network as well as office buildings, the local government's active participation is necessary with the lands department which regulates the land ownership title and related matters. Apart from the three departments cited, the other departments' inputs at the implementation stage are minimal but they become more important when the project's development stage starts. These are departments of Agriculture and Cooperatives and Credit and other relevant departments.

Coordination Committee at Construction Stage[12]

During the implementation stage, it would be advisable to have a Project

[12]Asian Development Bank, *Irrigation Development and Management* (Seminar Proceedings), Manila, Asian Development Bank, 1979.

Coordination Committee for implementation usually presided over by the Project Manager appointed by Irrigation Department. The Committee would consist of the representatives from the departments who are concerned with the implementation in one form or another, such as Lands Department, Highways and Agricultural Department. The Committee's function is to sort out the problems confronted in the course of implementation and to synchronise the respective departments' activities in regard to land acquisition and road development with irrigation construction activity. It would also be desirable to associate the political leaders of the area such as the head of the elected people's body such as district panchayat as in Indian states. This will ensure citizens' participation at the construction stage.

Two examples from the Indonesian scene will be relevant. One refers to an irrigation project assisted by the World Bank and the other refers to a project assisted by the Asian Development Bank. In the case of the World Bank-assisted project, the PROSIDA, a special unit in the Central Government's Directorate General of Water Resources Development (DGWRD) generally looks after implementation of project with a Project Manager (Charts 1 and 2). In the case of the ADB-assisted projects there is a Project Manager for each project with appropriate provisions of committees.

Irrigation Management

Compared to the problems encountered during the construction, the problems likely to be confronted during the irrigation development stage until the project life expires, say 30 to 50 years, are of complex nature. In addition, the romantic air of construction and creativity gives place to the despair of the painful house keeping and operational chores of dull routine and drudgery.[13] The construction wing of the irrigation department withdraws from the scene by handing over the completed project to the Operation and Maintenance (O&M) wing of irrigation department in the states/ provinces. Though for historical reasons, the irrigation departments have been taking a leading role in irrigation management, it has been found in recent times that for optimisation of land and water use resources, irrigation management function would go well beyond the conventional O&M. Bromely, Taylor and Parker[14] have identified the following tasks:

(*i*) keeping the distribution network in good condition:
(*ii*) intensive operation and maintenance of infrastructure;

[13]For an interesting discussion on attitudes to irrigation management, see P. and T.K. Jayaraman, "Attitudes of the Irrigation Bureaucracy Towards Water Management Tasks", *Zeitchrift Fur of Auslandiche Landwirtschaft*, Vol. 20, No. 3, 1981, pp. 279-292.

[14]D.W. Bromely *et al.*, "Water Reform and Economic Development", *Economic Development and Cultural Change*, Vol. 28, No. 2, pp. 365-366.

CHART 1

PIBD IMPLEMENTATION ORGANISATION
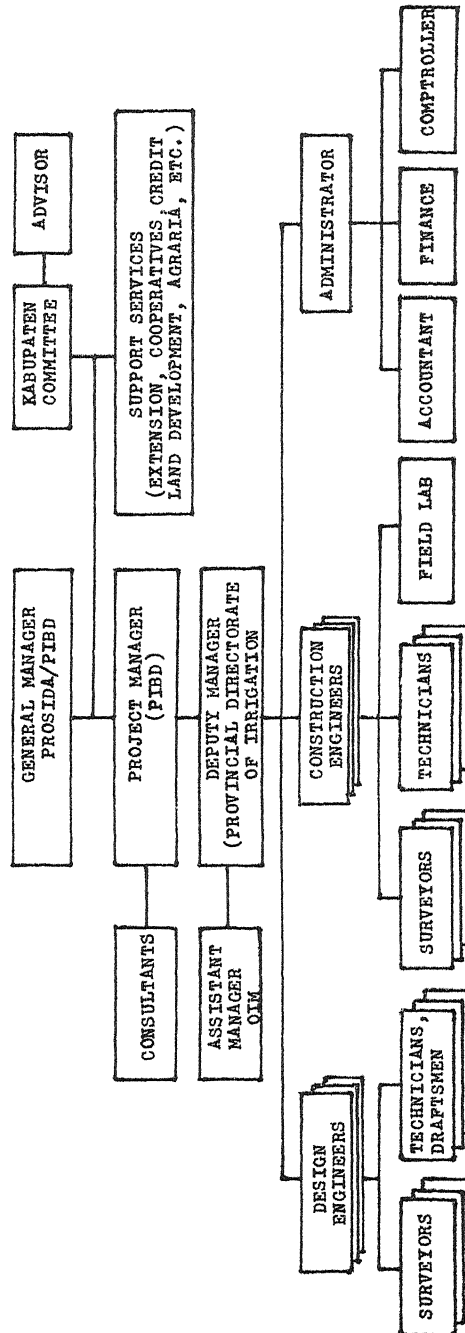
CHART 2

PROJECT OPERATION AND MAINTENANCE ORGANISATION
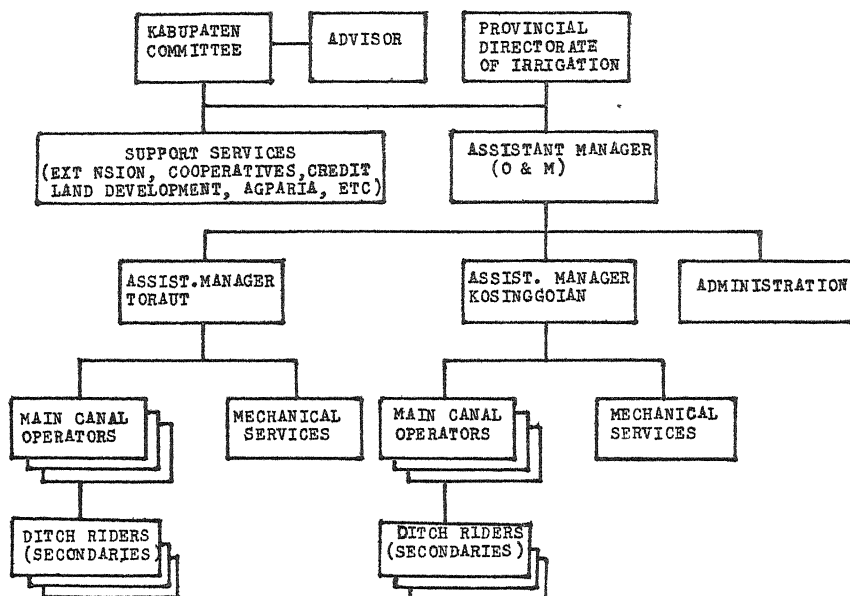
(*iii*) careful planning of cropping patterns and schedules irrigation;
(*iv*) care in the allocation and scheduling of water both among and within the systems; and
(*v*) equitable distribution of available water to all sections of irrigating community.

Besides the above irrigation management tasks, irrigated agriculture assigns importance to the following:

(*i*) Agriculture production advisory service activities: general agricultural extension and water management extension backed by agricultural research.
(*ii*) Commercial service activities: input supplies, credit and marketing.
(*iii*) Basic infrastructure and social services activities : housing, roads, school and health services, etc.[15]

The departments involved in the project area entrusted with the activities will have their own viewpoints.[16]   Their approach to problems of irrigated agriculture is often influenced by their departmental philosophy and tradi-

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[15]Bottrall, *op. cit.*, pp. 74-75.
[16]For a detailed treatment of different view points, see I. Carruthers and Colin Clark, *The Economics of Irrigation*, Liverpool University Press, 1981, pp. 200-210.

tions, having been based upon professional value biases and prejudices, which may come in the way of introducing innovations by restraining coordinated action and limiting rationaliy.[17]

Departmental Viewpoints

The agricultural viewpoint will be to maximise yields using the latest technology, under the assured conditions of water. But there may be a lack of appreciation in regard to opportunity costs of water in obtaining the yields and the social consequences of uneven access to irrigation facilities. Further, there may not be an understanding of excess irrigation giving rise to drainage problems especially in relation to crops such as sugarcane.

The engineering viewpoint would be often technical with the desire for meeting the rigorous standards which may be more capital intensive. Efforts towards mobilisation of local resources, especially appropriate to local conditions may be lacking. Further, in meeting the clientele requirements, the required flexibility in operations, which may perhaps compromise with technical requirements may not be forthcoming. The political viewpoint is more concerned with winning local support, especially of the electorate comprising the beneficiaries of the project regardless of technical niceties of operation and maintenance. Furthermore, there may not be a keen awareness of the limitations of the project in regard to water availability and storage capacity which may come in the way of optimising the yield per unit of water, which is a much scarcer input than land.

The development administration viewpoint will be one of disciplined water distribution rather than unorganised and indiscriminate water supplies, often usurped by richer and powerful farmers in the upper reaches of canals. Equity of access to essential inputs such as water in the midst of unequal distribution of assets like land has been recognised as the critical tool of rural development.[18]

The public health viewpoint is one of controlled water supplies bearing in mind the potential hazards of waterborne diseases, especially malaria and typhoid. Many a health expert feel that these considerations do not receive any attention in the project design or at implementation.[19]

Finally, there is the farmers' viewpoint the importance of which has been recognised in literature as citizens' participation in the implementation of the project. It is a well known fact that the farmers have often been

[17]H. Doerksen, "Water, Politics, Ideology : An Overview of Water Resources Management", *Public Administration Review*, October 1977, pp. 444-46.

[18]T.K. Jayaraman, "Water Management for Weaker Sections in Minor and Major Irrigation Projects", Paper presented at the UN ESCAP/Government of India sponsored *Workshop on Improving Administration of Delivery Systems : Access of the Poor to Public Services*, New Delhi, November 1979.

[19]T. K. Jayaraman, "Malarial Impact of Surface Irrigation Projects", *Agriculture and Environment*, Vol. 7, No. 1, 1982, pp. 23-34.

bypassed in the past since planners and administrators have taken them for granted either on the grounds of their alleged 'low' education and lack of abilities in articulation, difficulty in identifying the 'true' representatives of a large and heterogenous group or because of paternalistic attitude. However, things have changed in the immediate past and there is a growing understanding that for a stable society in the rural areas, accommodation of the view points of the targeted beneficiary has been considered as vital in the successful implementation of projects.[20]

Reconciliation of Different Views

Thus, there are several viewpoints, some converging and some diverging. But administration is the art of the possible, and it is essentially one of reconciling facts, functions, rival opinions, conflicts and bringing about compromises. The coordination committees provide an excellent forum towards this purpose. Further, the committees can help in planning for each cropping season, taking corrective measures whenever necessary and for improving performance of the project each season and each year. For example in Indonesia, the irrigation committees at the Kabupaten level can be looked as a suitable committee for bringing about necessary coordination in the irrigated areas. Here, the committee's leadership is in the hands of BUPATI, the district chief and the committee is well represented with the district heads of various development departments, besides irrigation *seksi* acting as secretary to the committee.

The role of the committees is normally advisory and hence, their decisions may not have the same force as that of the departmental head either at provincial or central headquarters. But the very fact that a periodical review, say once a month, of the actual happenings, deficiencies in the system operations, the problems, the successes and failures provides an opportunity for corrective and timely steps based upon mutual exchange of views has the catalytic impact on administration.

<div align="center">A CASE STUDY FROM INDIA</div>

While the existing institutions such as Kabupaten committees in Indonesia can be very well utilised for bringing about coordination among various departments involved in irrigation projects of smallscale nature, each covering an area of less than a district, for large such projects with extensive command area, sometimes cutting more than one district boundaries, there is a need for special administrative arrangements. An innovation in this

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[20]M. K. Lowdermilk, "Social and Organizational Factors of Irrigation Systems", Paper presented at the Governments of India and Gujarat sponsored *Training Course on Diagnostic Analysis of Farm Irrigation Systems*, Anand, Gujarat, India, Feb.-March 1981.

regard is the Command Area Development Authority (CADA) as adapted in certain states of India.[21]

For each major irrigation project, the Central Government proposed a model of CADA with a full time administrator of the rank of Secretary to the State Government under whom the field heads of all constituent departments such as irrigation, agriculture and cooperation are placed. The idea behind this organisational concept was that the senior level officer would have appropriate control and influence over the personnel working in the command area of the project to ensure coordination among various department personnel. CADA was also to have a separate allocation of funds for on-farm development (OFD) works independent of the constituent department budgets. Each CADA was to have a board of representatives from the government and non-government interests including the farmers' interests to supervise and review the programme. The authority was given the responsibility for developing command area, operating the irrigation system, promoting the cropping patterns, strengthening extension, training farmers, demonstrating improved practices, ensuring credit flows, supplying inputs such as seeds and fertilisers, developing roads and market facilities and organising the farmers.

The CADA concept was an attempt to meet the increasing food and fibre demands of an expanding population. The concept resulted from a continuous and agonising appraisal overtime of the failure of irrigation projects to meet the expected and needed performance. It also represents a new concept in rural development strategy. Instead of separate departments, each having its own autonomy, the new strategy is an administrative unit based on a national resource activity that cuts across the usual administrative boundaries. More significant is that all departments work toward the common objective of reaping maximum returns from the irrigation projects.[22]

The CADAs functioning today in several Indian states vary from the original model proposed by the Central Government in several ways. The variations stem forth from the variations in administrative and organisational capabilities and structures prevalent in different states. For example in the western states of India, such as Gujarat and Maharashtra, the local self-government institutions, which are statutory bodies and periodically elected, are politically powerful and administratively capable bodies. The State Governments have entrusted to them several functions in rural development, such as agricultural extension, support services, public health and

[21]T. K. Jayaraman, M. K. Lowdermilk and W. Clyma, *Command Area Development Authorities for Improved Water Management*, Fort Collins, Colorado, University Services Centre, Colorado State University, 1982.

[22]R. Wade, "Water to the Fields: India's Changing Strategy", *South Asian Review*, Vol. 8, No. 3, 1975, pp. 301-321.

cooperative credit. While setting up the CADAs, the State Governments did not want to upset the applecart and thus left the extension and support services outside the purview of CADA. Similarly, in those states, where irrigation departments are powerful, the O&M of the wing continued to remain outside the administrative control of CADA.

The CADA, at least in two states of India, Rajasthan and Andhra Pradesh come closest to the original model. Here both O&M of irrigation department and agriculture extension are placed directly under the CADA. The powers and administrative jurisdictions are spelt out without ambiguity and remain unchallenged with complete autonomy when the CADA is established under a statute of the legislature as in the State of Uttar Pradesh. In those states, where they are set up by executive orders, there is always uncertainty and hesitation on the part of the CADAs in moving ahead. Within these limitations, the coordination between different departments involved in irrigated agriculture was more effective than ever before.

A detailed description of the coordination arrangements between departments, which were kept outside CADA in Gujarat state, and between wings of the same department, one within CADA and the other outside CADA is given in the next few paragraphs.

The CADA in the State of Gujarat in India is set up by executive orders of the government issued in the department of agriculture. The functions of the CADA are outlined in Appendix 1. The chief executive of CADA is known as Command Area Development Commissioner with full-fledged staff from the soil conservation wing of the Directorate of Agriculture for construction of on-farm development works. But the O&M wing of irrigation department is outside the control of CADA. Similarly, extension, cooperation and production support services are outside CADA, being part of local self-government institutions known as District *Panchayats*, whose executive officer at the district level is known as District Development Officer (Chart 3.)

Though there were intensive efforts on the part of agricultural department and CADA itself to have the extension, agricultural support services and O&M of irrigation shifted to CADA, the government rejected the move on the grounds of both political and administrative expediency. Instead, the executive orders laid down that coordination should be secured only through committee mechanisms.

There were two committees suggested. One is known as Command Area Development Authority chaired by the CAD Commissioner with the Deputy Chairman from the Legislative Assembly, usually a member of the State Legislature elected by the people of the district in which the project is located. The membership of the authority is described in detail in Appendix 2 and includes all the officials at the highest level of the departments involved in the project. For example, it included, the Registrar of Co-operative Societies, the Director of Agriculture, the Chief Engineer of O&M

CHART 3

ORGANISATIONAL STRUCTURE FOR CADAs IN GUJARAT STATE

the Chief Engineer (Construction), the Chief Engineer (Roads), the Director of Research at the State University of Agriculture, the Managing Directors of the Cooperative Credit Institutions and the Presidents of the District Panchayats.   Obviously being a high power body, the Authority reviewed only broad policies and programmes. For example, it dealt with the following matters:

- (*i*) annual programme of OFD works;
- (*ii*) policies in regard to recovery of OFD cost dues from farmers;
- (*iii*) policies in regard to recovery of water charges from farmers;
- (*iv*) submission of annual report to government;
- (*v*) O&M repairs funding policy by government; and
- (*vi*) the World Bank aided rotational water supply programme implementation.

The routine work coordination is left to another committee known as Project Coordination Committee (PCC) whose membership is given in Appendix 3.   The Committee has all the functionaries involved at the project level, belonging to CADA, local self-governments, university campus, farmers training centre, credit institutions and the O & M of irrigation departments.   The Committee meets once a month and the discussions last about three hours. There is a heavy agenda beginning with a review of the action taken on the minutes of the meeting held earlier.   There is a lot of give-and-take between the departments and as a result, intense heat is created in the meetings but there is always light.   The meeting is also attended by the District Panchayat President and the sub-district known as Taluk Panchayat Presidents who are directly elected by people who bring in complaints from the irrigators and grievances against the departments Thus, the committee also functions as a forum for ventilation of grievances. Broadly speaking, the items covered in the meeting are the following:

- (*i*) inter-departmental differences in regard to implementation and related problems;
- (*ii*) irrigators' complaints;
- (*iii*) joint preparation of special campaigns such as: (*a*) grow   more pulses, (*b*) winter season wheat cultivation, and (*c*) summer season groundnut cultivation.
- (*iv*) World Bank aided rotational water supply coverage in selected areas of the project;
- (*v*) credit needs and problems in the availability of credit;
- (*vi*) overdues of irrigators in regard to: (*a*) water charges, (*b*) OFD costs, and (*c*) cooperative society credit.
- (*vii*) farmers' training programme at the Farmers Training Centre of the District Panchayat during the lean season in summer;

(*viii*) formation of water cooperative in a selected area; and

(*ix*) farmers' visits to neighbouring project areas in the state and adjoining states.

The minutes of the meeting are drawn by the Joint Director of Agriculture who acts as Secretary to the PCC and circulated to all participants at project level and the heads of departments in the state secretariat. At the end of the meeting, there is always a press conference given to the local vernacular press and radio. The decisions of interest to irrigators and the general public are thus given wide publicity.

In conclusion, the coordination processes, which were sought to be reduced by an innovative measure of unified organisational structure, have to continue in the CADA system also. This is because much of the units involved in irrigation project still stayed outside the structure. Secondly, there cannot be a monolithic structure all the time in an essentially pluralistic structure of specialisms and jurisdictions. Even if such an attempt is made to unify them, coordination will have to continue because within a single huge structure, the components have to work in unison. Hence, coordination continues to be an eternal need in any system, whether in unified structures or among multiple agencies.

SUMMARY AND CONCLUSIONS

The success of irrigation projects in terms of increased yield per hectare, realisation of envisaged cropping patterns and increase in the farm incomes depends a great deal on carefully orchestrated activities of various departments, besides the leading department of irrigation. Administrative arrangements are essential to bring about timely and periodical coordination between these departments.

A careful preparation of irrigation projects needs a closer examination of existing arrangements in a pre-project situation and of the future needs in a project situation. Intensive discussions with the government officials, private sector bodies and farmers can help us to come up with some viable working ideas to put into concrete steps. Care should be taken while suggesting coordination mechanisms. While it is always easy to suggest new and radical methods, they should be implementable in the first place. Often the existing institutions can be easily used with greater powers and recognition. Only if no such institution exists, new ways have to be found.

Appendix 1

FUNCTIONAL RESPONSIBILITIES OF CADAs IN GUJARAT STATE OF INDIA

(*i*) Modernisation, maintenance and efficient operation of the irrigation system up to the outlet of one cubic feet per second capacity;

(*ii*) development and maintenance of the main and intermediate drainage system;

(*iii*) development of field channels and field drains within the command of each outlet;

(*iv*) land levelling on an outlet command basis;

(*v*) consolidation of holdings and redrawing of field boundaries;

(*vi*) enforcement of a roster system of fair distribution of water to individual fields;

(*vii*) development of groundwater to supplement surface irrigation;

(*viii*) selection and introduction of suitable cropping practices;

(*ix*) supply of inputs and services including credit;

(*x*) development of marketing, processing, and communication facilities;

(*xi*) preparing individual programmes for small farms and agricultural labour; and

(*xii*) diversification of agriculture and development of activities like animal husbandry, farm forestry and poultry.

Appendix 2

MEMBERSHIP OF COMMAND AREA DEVELOPMENT AUTHORITY FOR MAHI-KADA IRRIGATION PROJECT, GUJARAT STATE OF INDIA

1. Command Area Development Commissioner (Chairman)
2. Member of the Gujarat State Legislative Assembly (Vice-Chairman).
3. President, District Panchayat of Kaira District.
4. President, District Panchayat of Panchmahals District.
5. Registrar of Cooperative Societies.
6. Chief Engineer, (Construction), Irrigation Department.
7. Chief Engineer, (O&M), Irrigation Department.
8. Directorate of Agriculture.
9. Joint Director of Agriculture (Extension).
10. District Development Officer, Kaira District.
11. District Development Officer, Panchmahals District.
12. District Collector, Kaira District.
13. District Collector, Panchmahals District.
14. Director of Research, Gujarat Agriculture University.
15. Managing Director, Gujarat State Land Development Bank.
16. Managing Director, Gujarat State Land Development Corporation.
17. Managing Director, Gujarat State Agro-Industries Corporation.
18. Settlement Commissioner for Lands.

Appendix 3

MEMBERSHIP OF THE PROJECT LEVEL COORDINATION COMMITTEE

1. Command Area Development Commissioner (Chairman).
2. Superintending Engineer, O&M.
3. Joint Director, Agriculture (Secretary to the Committee).
4. Divisional Soil Conservation Officer.
5. Sub-Divisional Soil Conservation Officer.
6. Executive Engineer, O&M.
7. President, District Panchayat, Kaira District.
8. President, District Panchayat, Panchmahals District.
9. District Development Officer, Kaira District.
10. District Development Officer, Panchmahals District.
11. Principal, Farmers Training Centre.
12. Joint Director (Extension).
13. Superintending Engineer (Roads).
14. Manager, Gujarat State Land Development Bank.
15. Manager of Lead Bank of the National Commercial Bank.

□

Soviet Local Government*

C. P. Barthwal

THE UNION of Soviet Socialist Republics, popularly known as the USSR, is today the largest country in the world covering one-seventh of the earth's surface: an area of about 22,400 thousand square kms., spread over the vast expanse of two continents from the North Pacific to the Gulf of Finland. So immense is its area that "while Moscow still basks in sunshine, Vladivostok slumbers in the night, and while the native of Arctic Siberia hunts fur-bearing animals, the native of Turkestan stripped to waist, gathers cotton".[1] This vast area is inhabited by diverse nationalities, religious, linguistic and cultural groups, Russians, living mainly in the Russian Soviet Federative Socialist Republic, being the most dominant among them, covering more than half of the entire population.

Obviously, a country of such a size and diversity must provide for a vast network of local government. The Russians, quite aware of this fact, have established a wide and complicated set-up of local units which include territories, regions, autonomous regions, autonomous areas, districts, cities, city districts, settlements and rural communities.[2] Table 1 gives a numerical break-up of these units, while Chart I attempts their layout in the overall local system.

ORGANISATION OF LOCAL UNITS

Each local unit is served by a Soviet of People's Deputies. These Soviets have been termed as "an embodiment of the sovereignty of the people"[3]. They "form the political basis of the state and social structure of the USSR".[4] Constitutionally, they are the "bodies of state authority".[5]

[1]Mazour quoted in C.P. Barthwal, *Modern Constitutions*, Lucknow, Upper India Publishing House, 1978, p. 607.

[2]*Constitution of USSR*, Art. 145.

[3]G.V. Barabashev and K.F. Sheremet, *Soviet Construction*, Moscow, Judical Literature, 1981 (in Russian), p. 44.

[4]M.A. Kurtogolov, *Talks on Soviet Democracy*, Moscow, Progress Publishers, 1980, p. 69.

[5]*Constitution of USSR*, Art. 89.

TABLE 1   NUMERICAL BREAK-UP OF LOCAL UNITS IN USSR

Sl. No.	Name of the Local Unit	Number
(1)	(2)	(3)
1.	Territories	6
2.	Regions	121
3.	Autonomous Regions	8
4.	Autonomous Areas	10
5.	Districts	3,075
6.	Cities	2,059
7.	City Districts	619
8.	Settlements	3,719
9.	Rural Communities	41,374
	TOTAL	50,991

SOURCE: *Results of Elections and the Number of Deputies of Local Soviets of People's Deputies*, Moscow, Presidium of the USSR, 1980 (in Russian) pp. 10-11.

CHART I
LAYOUT OF LOCAL UNITS
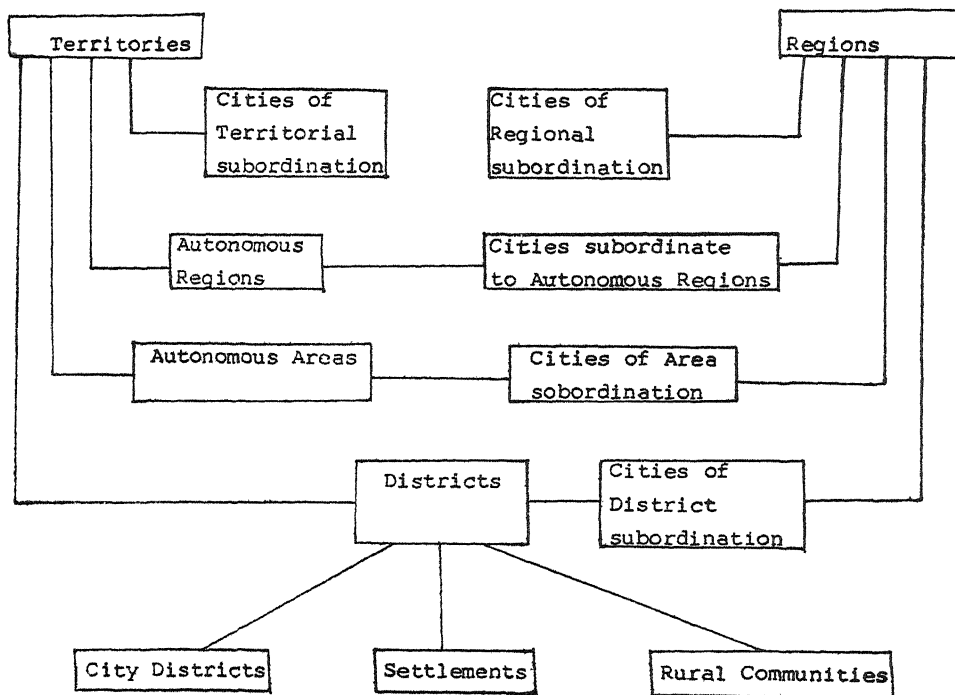
NOTE: Territories and Regions are subordinate to Union Republics, which are subordinate to the national government of the USSR.

The members of lcoal Soviets are designated as deputies. There is no fixed principle of deciding the number of deputies each Soviet will have but, it seems, it depends upon the level of the local unit, the population it serves and the principle that "all social groups of population and work collectives[6] in the territory must get representation"[7]. An idea about the number of deputies can be had from the minimum and maximum prescribed for each local unit in the Russian Soviet Federative Socialist Republic, the republic that serves as a model for other republics in the USSR, (*See* Table 2). Within this limit the number of deputies in each territorial Soviet, regional Soviet and Soviet of the autonomous region is determined by the Presidium of the Supreme Soviet of the union republic concerned and in other local Soviets by the Executive Committee of the corresponding higher Soviet, taking into consideration the factors enumerated above.[8] However, numerically speaking, local Soviets, as shown in Table 3, are pretty large bodies. Moreover, the number of deputies in them has constantly been on the increase, as is evident from figures given in Table 4. Two reasons have been advanced for unduly large number of deputies in local Soviets : (1) To provide for the representation of as large a population as possible.

TABLE 2 NUMBER OF DEPUTIES IN LOCAL SOVIETS OF THE RUSSIAN SOVIET FEDERATIVE SOCIALIST REPUBLIC

Sl. No.	Level of the Soviet	Number of Deputies Prescribed	
		Minimum	Maximum
(1)	(2)	(3)	(4)
1.	Territorial	150	500
2.	Regional	150	500
3.	Moscow City	1000	1000
4.	Leningrad City	600	600
5.	Autonomous Region	100	250
6.	Autonomous Area	75	200
7.	District	75	150
8.	City of Territorial, Regional or Area subordination	75	500
9.	City of District subordination	50	150
10.	City District	75	350
11.	Settlement	25	75
12.	Rural	25	75

SOURCE : *Law of the RSFSR on Election to Local Soviets of People's Deputies*, 1978 (in Russian). See Footnote 14, p. 123.

[6]Every Office, Organisation and enterprise has a work collective consisting of all persons working there. A larger unit can have more than one work collectives.

[7]Institute of State and Law, Moscow, *Soviets of People's Deputies and the Development of Socialist Democracy*, Moscow, Science Publishers, 1976 (in Russian), p. 68.

[8]*Law of the RSFSR on Elections to Local Soviets of People's Deputies*, 1978 (in Russian), sec. 14.

(2) Since deputies are not released from their normal duties, larger their number the lesser burden on each deputy.[9]

TABLE 3   LOCAL SOVIETS AND THE NUMBER OF DEPUTIES

Sl. No.	Name of Local Soviet	Total number in USSR	Total number of deputies in them	Average membership per local Soviet*
(1)	(2)	(3)	(4)	(5)
1.	Territotial and Regional Soviets	127	28308	223
2.	Soviets of the Autonomous Regions	8	1193	149
3.	Soviets of Autonomous Areas	10	1015	102
4.	District Soviets	3075	238104	77
5.	City Soviets	2059	273328	130
6.	City District Soviets	619	129350	208
7.	Settlement Soviets	3719	215893	58
8.	Soviets of Rural Communities	41374	1343781	32

*Figures rounded.

SOURCE : *Results of Elections and the Number of Deputies of Local Soviets of People's Deputies*, Moscow: Presidium of the USSR. 1980 (in Russian) pp. 10-11 and *Some Questions of Organization of Work of Local Soviets*, Moscow: Presidium of the USSR, 1980 (in Russian) pp. 4-5.

TABLE 4   LOCAL DEPUTIES THROUGH YEARS

Sl. No.	Year	Number of Deputies
(1)	(2)	(3)
1.	1957	15,49,777
2.	1961	18,22,049
3.	1965	20,10,540
4.	1967	20,45,419
5.	1977	22,29,785
6.	1980	22,30,972
7.	1982	22,88,885

SOURCE : V. M. Chkhikvadze (ed.), *The Soviet State and Law*, Moscow, Progress, 1969, p. 121; *Some Questions of Organization of Work of Local Soviets*, Moscow, Presidium of the USSR, 1980 (in Russian) pp. 4-5; and *Izvestia*, January 26, 1982.

[9]Discussion with N.G. Starovoytov and K.F. Sheremet.

Election

Deputies are elected by the people "on the basis of universal, equal and direct suffrage by secret ballot".[10]   Although the Constitution gives every citizen of the USSR, who has attained the age of 18, with the exception of persons who have been legally certified insane, the right to vote and be elected,[11] it is now a well established tradition that there is only one candidate for each seat.   This happens like this.   Every mass organisation and work collective in the constituency has a right to nominate one or more candidates for the constituency. There is then a wide-ranging discussion on the merits of rival candidates which leads to the withdrawing by all except the best and most acceptable.[12]   In brief, an "all-round discussion and the nomination of best qualified candidate is the basic principle of the nominating procedure",[13] with the Communist Party of the Soviet   Union playing the leading role.   In practice, however, initially itself only one candidate is proposed and mass organisations and work collectives are mostly not in a habit of proposing rival names.[14]   The system of having only one candidate on the ballot paper is justified on the ground that a multiplicity of candidates might lead to the election of none as one must secure at least 50 per cent +1 votes to be elected.[15]

In the circumstances, all candidates should automatically be elected. Surprisingly, however, some candidates are still not able to return.   This is because, although there is only one candidate on the ballot paper, the voters have a right to vote against him.   Thus, for example, in the 1975 local elections 62 constituencies for the rural Soviets, 2 for settlement Soviets and one for the district Soviet did not elect the only candidate on the ballot paper.[16]   Similarly more than 100 candidates could not be elected in 1980.[17] The rejection at polls reveals the weaknesses in the   nominating   process. The first weakness is that the discussion at the work collectives on the merits of the rival candidates is merely formal; it should be more detailed and thorough than at present.[18]   Secondly, the candidates are sometimes rejected because of their failure to unite electors' mandates in their programme. During the nomination process, the rival candidates spell out their programme taking into account people's demands put forward during nominating meetings.   Any failure on the part of the candidate to   include properly the demands of the majority of the people results in his rejection at the election.[19]

[10]*Constitution of USSR*, Art. 95.
[11]*Ibid.*, Art. 96.
[12]*Moscow News*, 10-6-1982.
[13]M.A. Krutogolov, *op. cit.*, p. 1.
[14]Information based on interviews with members of local Soviets.
[15]Discussion with N.G. Starovoytov.
[16]M.A. Krutogolov, *op. cit.*, p. 96.
[17]Discussion with Iwan Azowkin.
[18]Discussion with N.G. Starovoytov.
[19]Discussion with William Smirnov.

Thirdly, a majority of the people do not participate in nomination meetings, which are mostly attended by old, retired persons, for they have the time and leisure to do so.[20]   Finally, personal jealousies and prejudices against the candidate nominated also sometimes lead to his defeat at the polls.[21]

Social Composition

Local Soviets are composed of representatives from various cross-sections of the diverse population of USSR.   As shown in Table 5, various

TABLE 5   SOCIAL COMPOSITION OF LOCAL SOVIETS*

Sl. No.	Type of Deputies	Number of Deputies	Percentage of the Total Number of Deputies
(1)	(2)	(3)	(4)
1.	Elected for the first time	10,63,194	46.7
2.	Men	11,47,741	50.5
3.	Women	11,27,120	49.5
4.	Party members	9,79,895	43.1
5.	Non-party members	12,94,966	56.9
6.	Having Higher education	5,40,595	23.8
7.	Having Secondary education	12,93,259	56.8
8.	Having education below Secondary level	3,84,238	16.9
9.	Having Primary education	56,769	2.5
10.	Having scientific or other technical education	6,720	0.3
11.	Of 24 years and below	2,95,142	13.0
12.	Between 25 and 29	4,59,435	20.2
13.	Between 30 and 39	5,54,545	24.4
14.	Between 40 and 49	6,40,165	28.1
15.	50 and above	3,25,574	14.3
16.	Workers	9,86,193	43.4
17.	Farmers	5,76,621	25.3
18.	From Offices	7,12,047	31.3
19.	From different branches of Economy	5,51,407	24.2
20.	From the Agricultural Sector	10,82,744	47.6
21.	From Organisations of Trade and Public Feeding	77,585	3.4
22.	From Organisations for providing Accommodation and wellbeing	45,088	2.0
23.	From Science, Culture, Education and Medical Services	2,36,413	10.4
24.	From Military	14,078	0.6
25.	Pensioners, housewives and others	20,809	0.9

*As on February 24, 1980.

SOURCE : *Results of the Elections and the Number of Deputies of Local Soviets of People's Deputies*, Moscow, Presidium of the USSR, 1980   (in Russian), pp. 10-11.

[20]Based on talk with a Soviet Citizen.
[21]Discussion with Iwan Azowkin.

groups of working population with deputies of varying ages and education, both men and women, find representation in local Soviets. Not only that, almost all diverse nationalities of the USSR are represented in local Soviets, the lion's share being taken by the Russian nationality, because populationwise it is the largest in the country.[22]   Local Soviets are continually being supplemented by new faces. Thus in the 1975 local election 46.2 per cent of the deputies were elected for the first time.[23]   In the 1980 election their number was 46.7 per cent[24] and in 1982 election 45.8 per cent.[25] Finally, local Soviets consist of both members of the Communist Party and non-party members. On an average, around 55 per cent of the deputies at the local level are non-party members.[26] Thus in the 1980 local election 43.1 per cent of the deputies were party-members and 56.9 non-party members.[27]   Similar figures in the 1982 local election were 42.8 and 57.2, respectively.[28]   Nomination and election of those who are not members of the Communist Party might appear as a surprising phenomenon, but these non-members are there because of the approval and support of the Communist Party of the Soviet Union.

Term

All local Soviets are elected for two and a half years term.[29]   Fresh elections must be completed not later than two months before the expiry of the term of the Soviet concerned.[30] A mid-term vacancy is filled within three months from the date it occurs.[31]   Deputies who do not justify the confidence of their constituents can be recalled before the expiry of their term by a decision of the majority of electors.[32] During more than twenty years just over eight thousand local deputies were recalled.[33]   The number of such deputies during the specific period of 1977-79 was 852.[34]

Sessions

All local Soviets have four regular sessions in a year except settlement

[22]*Results of the Elections and the Number of Deputies of Local Soviets of People's Deputies,* Moscow, Presidium of the USSR, 1980 (in Russian), pp. 26-33.

[23]M.A. Krutogolov, *op. cit.,* p. 81.

[24]Table 5.

[25]*Izvestia,* 26-6-1982 (in Russian).

[26]Discussion with Iwan Azowkin.

[27]Table 5.

[28]*Izvestia,* 26-6-1982 (in Russian)

[29]*Constitution of USSR,* Art. 90.

[30]*Ibid.*

[31]*Law of the RSFSR on Elections to Local Soviets of People's Deputies,* 1978, secs 53 and 54 and corresponding sections of similar laws of other union republics.

[32]*Constitution of USSR,* Art. 107.

[33]*Moscow News,* 10-6-1982.

[34]*Some Questions of Organization of Work of Local Soviets,* Moscow, Presidium of the USSR, 1980 (in Russian), p. 32.

and rural Soviets which have six. Smaller settlement and rural Soviets have however only four sessions a year. Besides, special sessions can be convened at the demand of one-third of the deputies.

The sessions of the local Soviets are marked for their brevity. In settlement and rural communities a session is over within the same day, not lasting more than three to four hours, while in the highest level local units, *i.e.,* territories and regions, its duration is three to four days. The briefness of the sessions can be partly ascribed to the fact that deputies continue in their employment besides performing their elective duties which presupposes relatively short sessions of the Soviet. Moreover, a session is only a final stage of the active work, lasting sometimes for months, only to give it a formal approval.[35]

Commissions

Local Soviets form their commissions. Depending upon the tasks before it, a local Soviet can form any number of commissions, but usually it is between 4-5 and 13-17. The most important commissions are the Mandates Commission, the Plan Budget Commission, and the Commission for Socialist Legislation and Public Order. Minimum number of members in a Commission is 5, but higher Soviets—territorial, regional and larger city Soviets—have 30 to 40 members,[36] who are deputies of the Soviet itself. The functions of the commissions include working out questions for consideration by the Soviet or its Executive Committee; preparation of results of questions put in the Soviet; realisation of decisions of the Soviet, its Executive Committee, or higher organs of state power; controlling the work of departments of Executive Committee and enterprises, offices and organisations; implementation of decisions of the Soviet and higher organs; control over observance of legislation; and the organisation and control over the implementation of electors' mandates.[37]

Executive Organ

The 'executive-administrative' organ of a local unit is known as the Executive Committee.[38] It is elected by the corresponding local Soviet from among its own members which also decides its size taking into consideration the number of deputies, the recommendation of the higher organ, and the amount of work of the local Soviet.[39] The Executive Committee

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[35]A. Lukyanov, "What is Communist Idea of the State", in *Communism : Questions and Answers*, Moscow, Progress Publishers, 1975, p. 101.

[36]G.V. Barabashev and K. F. Sheremet, *op. cit.,* pp. 203 and 234.

[37]*The Law of the RSFSR on City and City District Soviets of People's* Deputies, 1979 (in Russian, sec. 72 and the corresponding section of similar laws of other local units.

[38]*Constitution of USSR,* Art. 149.

[39]Iwan Azowkin, *Local Soviets in the System of Organs of Power,* Moscow, Judical Literature, 1971 (in Russian), p. 130.

consists of a chairman, one or more vice-chairmen, a secretary, and in settlement and villages 2 to 5 members,[40] in cities and city districts 5 to 15 members,[41] in autonomous areas 6 to 12 members,[42] and in regions and territories 9 to 15 members.[43] The term of the Executive Committee is coterminous with the term of the Soviet which elected it, but it continues to hold office until a new Soviet has elected a new Executive Committee.[44] The Soviet may, however, at any time, recall any or all members of the Executive Committee.[45]

The Executive Committee meets more frequently than the Soviet. The deputies in it are experts from different professions, party members, chiefs of its leading departments and heads of public organisatons.[46] The chairman of the Executive Committee is a wholetime official in the sense that he is released from his employment for the duration he is holding this position, but not so with other members of the Executive Committee.[47]

To facilitate its work, the Executive Committee may form its sub-committees. Important sub-committees are, however formed by the Soviet itself, although they work under the direction and control of the Executive Committee.[48] At the area and regional levels, the Executive Committee can also form, with the permission of the Supreme Soviet of the union republic concerned, a Presidium, if the population of the area of region is more than one and a half million. The Presidium includes the chairman, vice-Chairman and the secretary of the Executive Committee. Its decisions are reported to the Executive Committee.[49]

The Executive Committee convenes the sessions of the Soviet and makes necessary preparations for it including preliminary discussion on draft decisions at the meetings of work collectives and citizens; coordinates the work of commissions, helps deputies in fulfilling their duties; works out and puts before Soviet current and prospective economic and social plans and the annual budget and reports to the Soviet about their fulfilment; organises the implementation of the decisions of the Soviet and higher state organs

[40]*Law of Settlement and Village Soviets of RSFSR*, 1979 (in Russian), sec. 37.

[41]*Law of the RSFSR on City and City District Soviets of People's Deputies*, 1979 (in Russian), sec. 50.

[42]*Law of the Autonomous Areas of RSFSR*, 1980 (in Russian), sec. 112.

[43]Discussion with Iwan Azowkin.

[44]*Constitution of the RSFSR*, Art. 150 and corresponding Article of the constitutions of other union republics.

[45]G.V. Barabashev and K. F. Sheremet, *op. cit.*, p. 328.

[16]*Ibid.*, p. 327.

[47]Discussion with K.F. Sheremet.

[48]G.V. Barabashev and K. F. Sheremet, *op. cit.*, p. 366.

[49]*Law of the Soviet Union on Main Duties of Soviets of People's Deputies of Territories and Regions and Soviets of People's Deputies of Autonomous Regions and Areas*, 1980 (in Russian) sec 33.

and electors' mandates; directs its own departments and subordinate enterprises, offices and organisations, including the appointment and dismissal of their chiefs; and prepares for and organises elections to the Supreme Soviet of the USSR, the union republic, the autonomous republic, its own Soviet and people's courts.[50] It promotes the development of socialist emulation and helps to strengthen administrative and labour discipline.[51] It manages state property, land, its minerals, water resources, forests, factories, mines, deposits, and transport and communications.[52] In brief, it has to deal with all matters within the jurisdiction of the Soviet, with the exception of those which can be decided only at the latter's sessions.[53]

The Executive Committee acts on behalf of the Soviet[54] and is accountable to it as well as to the Executive Committee of the higher Soviet.[55] Local Soviets exercise an extensive control over their Executive Committees,[56] but as the former meet only infrequently the Executive Committees have virtually become the focus of activity at the local level.

Departments and Administrations

All Executive Committees, except those of settlements and rural communities, have under them departments formed by respective Soviets. The departments are subordinate in their work both to the Soviet that formed them, its Executive Committee and to the corresponding higher bodies of state administration.[57] Each local Soviet decides the number of departments it should have keeping in view its requirements, but sometimes the number is fixed by the constitution of the union republic.[58] Important departments are those of agriculture, public services, trade, transport, internal affairs, finance, culture, education, medical services, planning, labour resources and judicial.[59] The chief of a department is elected by the Executive Committee, but need not necessarily be from among its own members or the Soviet.[60] The rest of the department consists of regular paid emplo-

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[50]*The Law of the RSFSR on City and City District Soviets of People's Deputies*, 1979 (in Russian), secs. 54-9 and corresponding sections of similar laws of other local units.

[51]V.M. Chkhikvadze, (ed.), *The Soviet State and Law*, Moscow, Progress Publishers, 1969, p. 153.

[52]M.A. Krutogolov, *op., cit.*, p. 71.

[53]*Constitution of the RSFSR*, Art. 147.

[54]O.E. Kutafin and K.F. Sheremet, *The Competence of Local Soviets*, Moscow, Judical Literature, 1982 (in Russian), p. 49.

[55]Discussion with Iwan Azowkin.

[56]A. Lukyanov, *op. cit.*

[57]*Constitution of RSFSR*, Art. 151.

[58]E.V. Dodin, *The Departments of the Executive Committees of Local Soviets*, Moscow, Judical Literature 1971 (in Russian), p. 5.

[59]*Ibid.*, pp. 9-10.

[60]Iwan Azowkin, *op. cit.*, p. 10.

yees and specialists.   The departments run the day-to-day administration of the local unit.[61]

The local Soviets often create organs which are known as administrations, such as, Administration for Road Building, Administration for Enterprises,   Administration for Clubs of Culture, and so   on.   These have the same nature, status and functions as departments.[62]

<div align="center">COMPETENCE OF LOCAL UNITS</div>

Broadly speaking, all units of local government perform almost similar functions.   Their powers and duties are quite extensive as they are expected to "deal with all matters of local significance".[63]   Within their territory, they direct state, economic, social and cultural development; endorse plans for economic and social development and the local budget; exercise general guidance over state bodies, enterprises, institutions and organisations subordinate to them; ensure observance of laws, maintenance of law and order, and protection of citizens' rights; and help strengthen country's defence.[64] Further, they ensure the comprehensive, all round economic and social development of their area; exercise control over the observance of legislation by enterprises, institutions and organisations subordinate to higher authorities and located in their area, and coordinate and supervise their activity as regards land use, nature conservation, building, employment of manpower, production of consumer goods, and social, cultural, communal and other services and amenities for the public.[65]

The specific powers and duties of local units under some of the major heads are as under.[66]

Planning

Adopt current and prospective plans of economic development in their territory and organise and control over their fulfilment; take into consideration electors' mandates and the suggestions of work collectives in working out current and prospective plans; adopt current and prospective plans of offices, organisations and enterprises subordinate to them; take part in the consideration of draft plans of collective farms, cooperatives, enterprises, offices and organisations of higher subordi-

[61]Discussion with K.F. Sheremet.
[62]E.V. Dodin, *op. cit.,* p. 10.
[63]*Constitution of USSR*, Art. 146.
[64]*Ibid.*
[65]*Ibid.,* Art. 147.
[66]*The Law of Rights and Duties of District Soviets*, 1978, *The Law of Rights and Duties of City Soviets*, 1978; *The Law of Rights and Duties of Settlement and Rural Soviets of RSFSR*; *The Decree of the Supreme Soviet of the RSFSR on Adoption of the Laws of Autonomous Regions*, 1981, and *The Law of Autonomous Areas of RSFSR*, 1981 (All laws in Russian).

nation on certain questions such as, land use, environment protection, building, accommodation, labour resources, production of consumer goods, and social and cultural services and make their suggestions; control the fulfilment of targets in collective farms, cooperatives, offices, organisations and enterprises; control income and accountability of subordinate enterprises, offices and organisations; can demand from collective farms, collectives and enterprises of lcoal importance statistics and other data about their work; direct the work and development of specialisation in local, industry, trade, public services, offices of culture and education, medical services, etc.; provide balanced usage of labour resources, fuel and expenditures of income; control national usage of raw material; provide observance of socialist legislation; and works out measures for social development.

Finance

Adopt budget of the territory; determine quarterly distribution of incomes and expenditures; determine the budget of subordinate local units and of offices, organisations and enterprises; collect taxes; control financial discipline; work out the fulfilment of budget; help sufferers of natural calamities; can give exemptions in taxes to certain enterprises; may lower wages as per law; control and direct the work of banks and state insurance under their subordination; within limits, may give credit for individual building work and repairs; and can distribute extra income for providing more social facilities.

Industry

Direct the work of subordinate industrial enterprises including control over their quality and production; may reorganise or abolish any industrial enterprise or form new ones; arrange the distribution of industrial production; direct production of goods based on local materials; help increasing productivity and labour; help expansion of old enterprises and building new ones; help enterprises of folk arts and crafts; help in raising material and cultural level of life of workers; and help enterprises of higher subordination.

Environment Protection

Make plans, including the master plan, for the development of its territory; control building activity including construction of houses, hospitals and schools; control repair work; control land use including giving and taking of land as per law; control the observance of norms of land owning; control measures to prevent land drying; control exploitation of water, forest and underground resources; control that the land owners take care of the land and take measures to improve its quality; and organise geological researches.

Accommodation Building and People's Well-being

Direct building of living houses; direct the work of organisations connected with the well-being of the people; control the use of household amenities, such as electricity, water supplies, gas and heating and building new ones; control the activities of organisations which deal with housing distribution; control cooperative and individual building activity; form building cooperatives and control their activity, give names to streets, parks, squares and numbers to houses; register citizens needing accommodation and control its distribution; and control the improvement of hygiene.

Trade and Public Feeding

Direct state and cooperative trade in their territory; control enterprises and organisations dealing with trade and public feeding; direct the work of collective farm markets; take decisions to build markets or repair or extend them; control organsiations dealing with storage of agricultural products; control the observance of prices and rules of trade; and study the needs of the population and control their fulfilment.

Transport and Communications

Direct transport and the work of transport organisations; adopt rules of transport and control traffic safety; control the work of railway stations, ports and airports; control the work of radio, television, telephone, mail, etc.; control building of roads and their repairs; and take measures for road safety.

Public Services

Direct organisations of public services, control their budget and plans, distribution of their income and strengthening their material—technical base; control the quality of public services and the observance of prices for public services; take decisions to organise, reorganise or abolish enterprises of public services; introduce new forms of public services; appoint and dismiss chiefs of subordinate enterprises of public services with the approval of higher organs; take steps to extend the number of public services and improve their quality; and encourage cooperation between enterprises of industry and public services.

People's Education

Direct people's education at all stages, including technical education; control that all those who have attained school-going age must go to school; control the work of orphanage and other child institutions; take measures to develop material basis of schools; take measures to strengthen contact between schools and enterprises; take measures to improve labour and professional education; and provide free school

text-books, free meals in schools and free transport for school-going children.

Culture and Science

Control the activities of all organisations of culture and take measures to strengthen their material—technical base; take measures to develop art and crafts; organise cultural activities, such as, sports, festivals, cinema, concerts and exhibitions; help scientific research institutions; control and protect monuments of history, culture and science; direct the work of subordinate clubs, houses of culture, libraries and other institutions of culture with the approval of higher organs of culture; direct the development of TV and radio, theatrical, musical and other arts; help the work of cultural societies; and help to introduce new traditions.

Medical Services

Conttol the work of organisations of medical services and the development of hygienic conditions for houses, offices and the whole of the territory; control veterinary services; take measures to prevent infectious diseases; take special measures to check epidemics; establish sanatoriums; take measures to protect motherhood and childhood; help the activities of Red Cross; establish hospitals and chemist shops in the territory; appoint and dismiss chiefs of subordinate medical institutions with the approval of higher organs of medical services; and take measures to reduce noise pollution.

Labour

Control the distribution of labour resources; help citizens to get jobs; control the observance of legislation on labour, labour safety and labour hygiene rules; control working conditions at the offices, enterprises and organisation; help to develop socialist competition at the enterprises; take measures for labour discipline; fix hours of work and working days in enterprises, offices and organisations; and control and direct training and improvement of the qualification of workers.

Social Provision and Social Service Funds

Direct the work of social provision; provide regular payment of pensions; direct and control the offices established for social service; help invalids or families of invalids to get jobs; provide state care to invalids and disabled persons; and the work of societies of deaf and dumb.

Observance of Socialist Legislation, Public Order, Rights of Citizens and People's Control

Provide observance of laws and rights of citizens; form committees

of people's control and direct their work; consider citizens' complaints; may abolish the decisions of the departments; may impose penalties for non-observance of decisions; direct activities of organs of law and order; control the observance of rules of passport registration and registration of marriages and deaths; direct state judicial institutions; direct the work of people's guides of order and people's courts; direct the work of fire-brigades; take measures in case of natural calamity; organise the protection of people's life at sea, lakes and other water reservoirs; abolish the orders and acts of subordinate offices, enterprises and organisations, if against law; control the observance of passport system; control the observance of legislation in religious services; and systematically study how the legislation is being observed and take measures to present non-observance of it.

Military Defence

Provide the observance of law on universal military service, direct civil defence measures in the territory; help in organising military education of the citizens; control the observance of legislation on privileges of war veterans and demobilised persons; direct the work in the field of military patriotic propaganda and help the work of voluntary defence societies; and provide jobs to retired military men.

The above description about the powers of local units in the USSR leads to the following conclusions[67]:

1. Local units have been developed into full-fledged organs of power in their respective territory.
2. They decide not only questions of local importance but are also responsible for the implementation of state interests and the tasks of higher state organs.
3. They have wide powers in the management of state economy in consonance with the socialistic pattern of society that the Soviet Union has adopted.
4. They not only regulate and control the working of organisations and enterprises subordinate to them but also coordinate and guide those which are not under their direct subordination but are within their territory.
5. They provide for the observance of legislation, public order and rights of citizens on their territory.

[67]See O.E. Kutafin and K.F. Sheremet, *op. cit.*, pp. 19-23.

HIGHER CONTROL

'Democratic centralism' is the principle that guides the relationship between higher and local units, which means that the higher Soviet not only controls the work of the lower Soviet, but guides it and is in turn responsible for its work to still higher Soviet.[68] Thus, all local units in the USSR work under the strict subordination of organs higher to them, carry out their decisions, work according to their directions and are responsible to them. The highest level local units are responsible to the governments of the union republics, which in turn are responsible to the central government. Ultimately, it is the central government at Moscow that controls all the activities. The control is hierarchical with each organ having control over its immediate lower one and accountable and answerable to the higher one (*See* Chart I). The national government thus has only authority and the lowest level local units—settlements and rural communities—have only responsibility. This relationship between authority and responsibility can be studied under the following heads:

Legislative

Local Soviets of People's Deputies can decide matters within the powers accorded to them by the legislation of the USSR and the respective union republic.[69] Within this, all local Soviets can decide questions independently but actually with the approval of the higher Soviet.[70] In fact, the laws of the national government are the models on which governments of the union republics enact their own laws which become guides for laws and rules enacted by the various local units.

Laws, rules and decisions of local Soviets can be repealed by the higher Soviet, should they fail to conform to the law of the union republic or the national law.[71]

Executive

The Executive Committee of a local unit directs state, economic, social and cultural development within its territory on the basis of the decisions not only of the Soviet that elected it but of higher bodies of state authority and administration.[72] It is accountable both to the Soviet that elected it and to the higher executive and administrative body.[73]

[68]M.A. Krutogolov, *op. cit.*, p. 80.

[69]*Constitution of USSR*, Art. 148.

[70]S.V. Solaviova, *Soviets and Scientific-Technical Progress*, Moscow, Judical Literature, 1978 (in Russian), p. 73.

[71]*Constitution of RSFSR*, Art. 143 and corresponding Article of the constitutions of other unionr epublics.

[72]*Ibid.*, Art. 147.

[73]*Ibid.*, Art. 146.

Higher Executive Committees are empowered to quash the decisions of lower Executive Committees.[74] The departments of the Executive Committee are subordinated not only to it and its Soviet but to the higher Executive Committee as well.[75] The chiefs of departments pass orders as per decisions of their Soviet, its Executive Committee and acts of higher organs of state power.[76] All offices, enterprises and organisations are, subordinate not only to the Soviet under which these have been placed but to higher organs as well.[77]

Financial

Finance in the USSR is centralised. "Financial centralisation is expressed not only in the unification of the union budget and the budgets of union republics, but also inclusion in them the budgets of autonomous republics and the local budgets."[78] Thus the total budget of each union republic is decided by the Supreme Soviet of the USSR. The total budgets of the autonomous republics, territories, regions, districts and cities of regional subordination are decided by the Supreme Soviet of the union republic, when it adopts its own budget. The amount of the budget of lower administrative units is determined and included in the budget of higher administrative unit and then it is adopted by the corresponding lower Soviet.[79]

The above process can also be explained in the reverse order. Each local unit sends its yearly demands (budget) to the higher unit which sends these, including its own demands, to the still higher unit which ultimately reach the Central Ministry of Finance and at each step these can be increased or decreased. The central government decides about all incomes and expenditures and then doles out to the lower units, the money it deems fit for their expenditure, which in their turn dole out to still lower local units whatever amount they deem suitable for them.[80]

PARTY GUIDANCE

The discussion of the Soviet local government would be incomplete if the role that the Communist Party of the Soviet Union (CPSU) plays

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[74]*Constitution of RSFSR* Art. 149.

[75]*The Law of the RSFSR, on City and City District Soviets of People's Deputies*, 1979, sec. 67 and corresponding section of similar laws of other local units.

[76]*Ibid.*, sec. 68.

[77]*The Law of Rights and Duties of District Soviets*, 1978, sec. 2 and corresponding section of similar laws of other local units.

[78]M.I. Piskotin, *Soviet Budget Legislation*, Moscow, Judical Literature, 1971 (in Russian), p. 72.

[79]*Ibid.*, p. 74.

[80]Discussion with Iwan Azowkin and M.I. Piskotin.

in it, is not taken into consideration. According to the Russian Constitution the CPSU is "the leading and guiding force of Soviet society and the nucleus of its political system, of all state organisations".[81] This article defines "the historically established place and the role of the CPSU in the life of the Soviet society, in its political system".[82] "The whole history of the Soviet Union—like changes in Soviet society and the work of the Soviets over the past four decades—is indissolubly connected with the activity of the Communist Party."[83]

The party plays its leading role, first of all, "through the communists elected to the local Soviets."[84] According to the party rules, party groups are formed in Soviets, their Executive Committees, departments, in brief, in all their elective bodies, having at least three party members. These party groups "serve as a kind of channel of party influence".[85] It is through these communists that the CPSU conveys its policy to the local Soviets and their organs, who also control and verify the implementation of the decisions of the Soviets and promote party ideals and policies among nonparty members of the local Soviets. The party groups in a local Soviet or its elective organs are subordinate or relevant party organs: for example, the party group of the regional Soviet is subordinate to the regional party committee.[86]

The party exercises its influence also through its control over the "selection and deployment of cadres",[87] as also its education, training and promotion. Elections to local Soviets and all its organs are guided by the CPSU. It "strives to nominate as candidates the best workers, whether communists or non-communists, who know the life, needs and requirements of the working people".[88]

Finally, the Party guides "the work of the Soviets".[89] This implies "working out a strategy of development, determining the main long-term objectives, and methods for achieving them, ensuring that the main lines in the activity of the state and party harmonise.[90] Consequently, "the role of the Communist Party increases as the rights of the Soviets are enlarged and as they came to play a greater role in all aspects of social life".[91]

Although the party guides the local Soviets, it does not extend to replacing them. It merely sets targets, persuades and guides.   □

[81]*Constitution of USSR*, Art. 6.
[82]A.G. Yegorov, "The Constitution of a Developed Socialist Society engaged in Building Communism", in *The Fundamental Law of the USSR*, Moscow, Progress 1980, p. 39.
[83]M.P. Georgadze, "Soviets of People's Deputies", in *The Fundamental Law of the USSR, op, cit.* p. 116.
[84]A. Lukyanov, *op. cit.*, p. 109.
[85]G.V. Barabashev and K. F. Sheremet, *op. cit.*, p 138.
[86]M.A. Krutogolov, *op. cit.*, pp. 44-5.
[87]G. Shahnazarov, *Socialist Democracy*, Moscow, Progress, 1974, p. 73.
[88]M.A. Krutogolov, *op. cit.*, p. 43.
[89]*Ibid.*
[90]M.P. Georgadze, *op. cit.*, p. 117.
[91]*Ibid.*

Trends in Attitudinal and Structural Development of Nigerian Civil Service

E. A. Ikoiwak

FOR A study of the present-day Nigerian Civil Service to be meaningful, it is essential to understand the historical roots of the colonial civil service in Nigeria. This is because the nature of the colonial administration has to a great extent influenced the structure, *modus operandi*, training and motivations of the post-independent civil service in Nigeria. In looking at the nature of colonial administration, account should be taken of its environment, the organisational character of the civil service, the values shared by the personnel and some related events in the development of the administrative machinery.

The period of colonial administration in Nigeria can be sub-divided into brief periods each indicating the social, political or economic character of the time. The first of such was a period devoted in large part to the widening of imperial outpost through 'pacification' or military expeditions, 1886 to 1910. Between 1910 and 1925, attention was devoted to establishment of administrative machinery for the country. With the setting up of the civil service, economic development, which was to follow, was seriously disrupted by the depression of the thirties and World War II. The period between 1946 and 1950 was marked by the crescendo of awakened nationalism, the realisation of the forces of democratic principles and the desire of Nigerians to be free to order their lives according to their likings. The next decade was marked by increased participation by Nigerians in the colonial administration and, finally, there was a period of transitional administration which culminated in the independence of the country in 1960.

In order to treat concisely events touching mainly on the attitudinal and structural development of the civil service during the entire period, it will be useful to group the first three sub-periods under one long period, *i.e.*, 1886-1945. This is because this article intends to concentrate on the development of the civil service without treating in detail the military aspect of the administration, the economic depression of the thirties, and World War II. However, where necessary, the effects which the characteristics of each sub-period had on the development of the civil service will be pointed out.

DEVELOPMENT OF THE COLONIAL NIGERIAN CIVIL SERVICE (1886-1945)

Nigeria, as it is known today, was not a single territory and was not

administered as such in the early years of British control. Lagos was ceded to Britain in 1861, and in 1886 was separated from Gold Coast (Ghana) colony to become the colony of Lagos and was administered by the colonial office in London. It had its own civil service. Besides, there was the Southern Protectorate of Nigeria which was controlled by the colonial office. This Protectorate had the following departments to provide civil service functions: public works, military, forestry, botanical, judiciary, medical and sanitary, prisons, treasury, customs, post office, marine, and printing.[1] However, this Protectorate was short-lived.

In 1906, the Protectorate was joined with the colony of Lagos to form the colony and Protectorate of Southern Nigeria. The two civil services were merged and the headquarters of the departments were located in a secretariat in Lagos. To facilitate administrative functions, the new territory was split into provinces under local headquarters, which were manned by Provincial Commissioners, who were answerable to the Colonial Governor in Lagos. These Provincial Commissioners were each assisted by a Divisional Secretary, a staff of District Commissioners and Assistant District Commissioners besides a representative of each department who was accountable to the Provincial Commissioner.[2] Thus, at this early stage, there was, in the southern part of Nigeria, an official bureaucracy whose membership was based on literacy in English and the western norms and culture.

To the North of the colony and Protectorate of Southern Nigeria lay another vast territory which was administered by a British chartered company, the Royal Niger Company, whose interest was purely commercial. On January 1, 1900, the British Government took over the administration of that part of Nigeria from the Royal Niger Company. One of the reasons for this was the British Government's desire to forestall French competition which was active in the Niger area. The area so taken over was declared the Northern Nigerian Protectorate and Frederick Lugard was appointed its first High Commissioner. A machinery of government was established and a civil service came into being.

It was not easy initially for the new administration to get enough staff for the work at hand. In his first report, since declaring the area the Protectorate of Northern Nigeria, Frederick Lugard stated: "...the inadequate staff has hampered my efforts and thrown upon me, personally, so much detailed work that I have been unable to accomplish much in other directions as I otherwise might have done."[3] It was difficult for Lugard to get adequate supply of well qualified indigenous clerks. This was because Northern Nigeria, unlike the Southern Protectorate and Lagos Colony, had experienced little contact with the Christian Missionaries who were the main

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[1]*Colonial Reports, Southern Nigeria*, 1899-1900 (Microfilmed), p. 27.

[2]*Colonial Reports, Annual, Southern Nigeria*, 1898-1939. *Report No. 554*, 1906, (Microfilmed), pp. 89-90.

[3]*Colonial Reports, Annual, Northern Nigeria*, 1900-1901, (Microfilmed), p. 10.

agents of western culture in the British colonies. To Lugard, it was, however, a pleasant relief because there were no pressures in the north as there were in the south for employment by the educated class. Lugard was to encounter these pressures when he became the Governor General of Nigeria in 1914.

Meanwhile, Lugard, through military conquest, continued to subjugate the recalcitrant emirates in the outlying areas of the North, extending the areas of the Northern Protectorate. However, the Northern Protectorate remained an antithesis of the colony and Protectorate of Southern Nigeria. Lugard and his fellow administrators saw it fit to keep out the influence of western culture in the Northern Protectorate and the result was that after so many years of British rule that area remained relatively backward. Characterising the administration and developments in both the Protectorates of the time, I.F. Nicolson observed as under:

> ...in Southern Nigeria as in Lagos, the administrative action taken was neither reluctant, nor haphazard, but remarkably rapid, professional and systematic, and justified by immediate success, both in *financial* terms and in terms of solid, measurable improvement in the condition and prosperity of the people....It was, for the South, something of a golden age as well as one of heroism where necessary, while for Northern Nigeria it was an age of heroism certainly, but an age of steel, not of gold, dominated by a machinery of government on the military rather than the civilian pattern, turning its back on modernisation.[4]

On January 1, 1914, the two administrations (Northern and Southern Protectorates) "...ceased to exist and were replaced by a single government of Nigeria, under a Governor-General, constituted under New Letters Patent and Orders-in-Council with a new seal and flag."[5] This was the amalgamation of Nigeria which was essential for two reasons. First, it was illogical to have a fiscal boundary between two contiguous territories owned by the same imperial power. Second, the administration of the Northern Protectorate was very much dependent on subventions from the Southern Protectorate and the British Treasury. Heaving a sigh of relief, and humorously pronouncing his administrative best wishes on the unification of the two contiguous territories, the then Secretary of State is reported to have said in a speech at a colonial dinner in 1913 before the amalgamation: "We have released Northern Nigeria from the leading strings of the Treasury. The promising and well-conducted youth is now on an allowance, 'on his own' and is about to effect an alliance with a southern lady of means. I have issued the special licence and Sir Frederick Lugard will perform the

[4]I. F. Nicolson, "The Machinery of the Federal and Regional Governments", in John P. Mackintosh, *Nigerian Government and Politics,* Evanston, Northwestern University Press, 1966, p. 146.

[5]Frederick Lugard, *Colonial Reports, Annual, Nigeria,* 1914, (Microfilmed), p.14.

ceremony.   May the union be fruitful and the people content: The Nigerias are not designed to be a great Trust but a great Federation."[6]

These wishes were in accordance with the British colonial policy that the colonies should generate the funds for their administration and development.

In spite of the amalgamation in 1914, and the centralisation of colonial Nigerian administration in Lagos as the headquarters, Lugard divided Nigeria into two regions, North and South, each containing a number of provinces.   A lieutenant governor was in charge of each region and reported to Sir Frederick Lugard, the Governor.   But in matters of policies, the administrations in the two regions proceeded on the pattern followed   prior to the unification.   Indirect rule[7] continued unperturbed in the North, while in the South, policies which favoured changes in the traditional society were more acceptable and pursued.

As a step towards the complete unification of the Nigerias, in 1913, the customs, marine and railway departments of the Northern Protectorate were amalgamated with corresponding departments of the Southern Protectorate and styled 'combined' departments.   Careful inquiries were made into spheres of administration and departmental organisation and changes were at once introduced in many cases.   After 1914, and in spite of the division of Nigeria into the North-South administrative units, a coordinating central service was set up to provide the administrative staff essential for the governance of the whole country.   This, as the 'secretariat', was based in Lagos. In it were located the administrative heads of the technical departments and central headquarters of the administrative field service.   The Chief Secretary was the head of the secretariat administration while the Governor, to whom he was answerable, was the official head of the colonial service.   This was the nucleus of what, after a period of almost half a century, finally emerged as the Nigerian Federal Civil Service.

However, it is worth noting that continued administration of the north and south under separate principles after the amalgamation did more evil than good. For, as pointed out by Prof. Olusanya, the sharp cultural difference enforced by the distinct and independent administrative development

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[6]*Annual Report of Nigeria 1913*, p. 13. Cited in G.O. Olusanya, *The Evolution of the Nigerian Civil Service 1861-1960*. Humanities Monograph series No. 2, Lagos, Lagos University Library Press, 1975, p. 15.

[7]The Fulani Empire in Northern Nigeria offered favourable conditions for the development of colonial administration by indirect rule.   It was a centralised state with a hierarchical structure of emirate administration. Lugard and his Residents had only to advise the Emirs on what they wanted done. The Emirs sent the instructions down the line and the process worked.   The South, especially the eastern flank of the country, comprising egalitarian societies with no centralised authorities, like in the North, proved an unfertile area for Indirect Rule. In the western part of the country the colonial administrators had sometimes to intervene to bring some rebellious subordinate chiefs under the Obas' (Yoruba paramount chiefs) authority.

was, in part, responsible for the disagreement between the northern and southern officials as to the political character of Nigeria in the development and contents of the Richards constitution. It was also responsible for the advocacy of disunity in which the northern officials engaged and which impaired the growth of feeling of unity in Nigeria.[8]

After the administrative edifice had been set up, modest efforts were made towards economic development. Unfortunately, these attempts were severely hampered by the depression of the thirties and no sooner had the efforts been revived after the recovery than the disruption by the World War II. These set backs equally affected any significant development in the civil service limiting it to normal administrative operations. But in 1939, an important administrative action was taken by the division of the southern provinces into eastern and western groups using River Niger as a natural line of demarcation. The division was to have major effects on the Nigerian Civil Service and the politics of Nigeria in the future years.

ORGANISATIONAL CHARACTER OR COLONIAL CIVIL SERVICE

One important factor which greatly influenced the development of the Nigerian Civil Service, especially in the post World War II years, was the organisational character of the colonial administration. Since the last decade of the 19th century, racial discrimination was commonly practised against natives in British colonial dependencies. The degree to which this social prejudice was carried out depended to a large extent on the leadership of the administration in the various dependencies. Philip Selznick has noted, "the task of leadership is not only to make a policy but to build it into the organisation's social structure.... This means shaping the 'character' of the organisation, sensitising it to ways of thinking and responding . . . "[9] Consequently, when personnel identify with such organisation sharing perspectives on the aims and methods on which the organisation operates, an 'organisational character' is developed.

In fact, it is not an overstatement to say that discrimination and racial segregation were institutionalised in British colonial administration. For example, Casely Hayford describing the creation of separate cemeteries for the whites and blacks in Gold Coast (Ghana) observed : "A path, thirty-six feet wide, was marked between the European and the native cemeteries and the former beautifully fenced in with money contributed by the black folk."[10]

In Nigeria, racial discrimination and policy of segregation were enforced

[8]Olusanya, *op. cit.*, p. 18. *See* also James S. Coleman, *Nigeria : Background to Nationalism*, Berkeley and Los Angeles, University of California Press, 1963, pp. 46-47.

[9]Philip Selznick, *Leadership in Administration*, New York, Harper and Row, 1957, p. 63

[10]J. Casely Hayford, *Ethiopia Unbound* (reprint), London, Frank Cass & Co., 1969

in the colonial administration through the leadership and personality of Frederick Lugard. Lugard had an unmitigated and unconcealed dislike for the educated Nigerians. To him, their "loud and arrogant conceit" was distasteful and their lack of "natural dignity and courtesy" antagonising. Attempts by educated Southern Nigerians, who knew their rights and were ready to assert them, were branded as "seditious and rotten to the core". Accordingly, it was Lugard's policy supported by his subordinates that educated Nigerians should be barred from occupying positions of equality with the Europeans in the civil service no matter what their qualifications. Two reasons could be adduced for this policy. First, the colonial administrators felt the educated class in Nigeria was the brain behind political agitation and their "aspiration to greater participation in government had the ultimate aim of displacing the white administration".[11] Second, colour discrimination " . . . was the product not only of preconceptions regarding the inferiority, reinforced by the magnification of faults of educated Africans, but also of a firm conviction that peaceful colonial administration and the perpetuation of imperial rule were directly dependent on the doctrine of white superiority".[12]

Segregation was not only asserted and officially practised in the civil service, hospitals and dwelling areas, but also in recreational facilities and places of worship. Today, in Nigeria, one can still see buildings which in those infamous days housed the European clubs and churches. Separateness with facilities would not have aroused so much resentment in Nigerians but it was the "qualitative differences in the facilities provided for the two races which aroused the greatest hostility".[13] In the North, Lugard saw to it that the alien natives, mainly Southerners lived in separate areas 'sabongari' from the native population. In his amalgamation report on "Restriction on Native Residents in a Township", he stated: "The native quarters of a township especially in the North, are reserved as far as possible for natives alien to the local population, whose business or employment is closely associated with Europeans. It is not desired that local natives, even though employed as carriers or labourers by Europeans, should be allowed to withdraw from the control of their own Native Administration and Native Courts by residing in a township."[14]

Lugard's main idea was that of keeping the native Northerners from the "corrupting influence of the Southerners". Even today, after so many years, it is noticeable that the stranger elements in the North still live in areas not occupied by the natives. This lack of association by the two groups also contributed to the differences in attitudes and feelings of unity

[11]James Coleman, *op. cit.*, p. 150.

[12]*Ibid.*, p. 152.

[13]*Ibid.*, p. 151.

[14]*See*, A.H.M. Kirk-Green, *Lugard and the Amalgamation of Nigeria*, London, Frank Cass & Co., 1968, p. 163.

in the country as evidenced before and after independence.

Besides, the social effects generated by the policy of segregation, discrimination against educated Nigerians in the civil service produced in them poor attitudes towards government service. These attitudes have been carried over to the present-day civil service and other government work in Nigeria. Nevertheless, it was a status symbol to work in the government and the desire of many parents was to see their children employed at the secretariat. Sir Anton Bertrom, writing on the colonial service in the thirties, noted:

> The prestige that attaches to the government service in bureaucratically governed countries is immense. No ordinary resident of Great Britain can gain any conception of it. It is the ambition of every educated youngman, not possessed of other special qualifications, to enter government clerical service, if not by one of the permanent posts then at least by one of the numerous incidental posts that are from time to time presenting themselves.[15]

Those who were lucky to be employed were consigned to the lower grades in the service and had no opportunities of serving in the higher division. Consequently, they did not feel a sense of belonging and could not give their best to the service. Government service was styled "white man's work" and the saying, "it is not my father's work", which was in vogue, adequately summarised the feelings of Nigerian government employees.

Robert Heussler[16] has noted that the colonial administration was essentially authoritarian while its main aim was service. The spirit of the colonial administrators was that of *noblesse oblige* and the attitude underlying their service was that of condescending beneficence. As English gentlemen, most of whom had graduated from Oxford and Cambridge, they were not inclined to proselytise or even care what others thought or did. This attitude was soon to change. The post World War II period provided the compelling forces and the environment.

CIVIL SERVICE IN IMMEDIATE POST-WAR YEARS, 1945-1950

The period following the end of World War II, in the annals of colonial administration in Nigeria formed a watershed between the era of administocracy and one of urgent social and political development. The civil service was immensely impoverished as a result of the war and besides, was in need of urgent reforms and improvement. In the social and political life of the

[15]Sir Anton Bertram, *The Colonial Service*, Cambridge, Cambridge University Press. 1930, p. 50.

[16]Robert Heussler, *Yesterday's Rulers: The Making of the British Colonial Service* New York, Syracuse University Press, 1963, p. 202.

country, this period brought changes which the colonial administration could no longer keep back.

The first direct effect of World War II on Nigerians was the awakening of the spirit of nationalism. For once, the misty prestige of the white man, on which the Lugardian and subsequent administrations were anchored, was seriously questioned and attacked. Having witnessed the sufferings and frailties of the white man in the fratricidal war, Nigerians came to realise that the white man with all his claims to superiority and civilization was not omnipotent or sacrosanct, and that the brutality and folly of which the 'native races' were accused were attributes of the 'civilised race also'. But the contrast between the atrocities of the Nazis and the strength of the democratic nations spurred Nigerians on to acquire a democratic set-up which could enable them to shake off the yoke of racial domination they were bearing.[17]

On a more positive note, the Nigerians who fought side by side with the British in the World War II, most of them illiterates, realised thatt here were Europeans who were different from the privileged colonial administrators and who, like themselves, were private soldiers, boot blacks, and servants. Nigerian soldiers fought alongside the white soldiers of their rank. In the international scene, Nigeria became prominent as a link to allied defences, a supplier of goods needed during the war, and a provider of troops for some of the campaigns. Little wonder then that Meyer Fortes testified, "it may be that the war will prove to have been the outstanding instrument of social progress in West Africa, for fifty years".[18] Besides, the disaffection of Nigerians was strengthened by reports on the behaviour and character of ordinary white men brought home from Europe and America. They were disillusioned, cynical and critical of all white pretensions. This attitude and developments contributed to the deflation and rapid collapse of the doctrine of white supremacy.[19]

At this time, the colonial civil service was experiencing an acute shortage of staff recruited from Britain. Many British officials in the colonial service had been called up for service in different war theatres. The vacancies created by such exodus could not be filled after the war with new recruits from Britain, because Britain needed all the manpower she could muster for post-war reconstruction. This difficulty was aggravated by the discontent among the European members of the civil service regarding poor financial rewards and other matters. As a result of representations made by the Governors of West African British Colonies to the Secretary of State on the discontents, a commission headed by the Chief Justice of Gold Coast (Ghana)

[17]Mackintosh, *op. cit.*, p. 161.

[18]Meyer Fortes, "The Impact of the War on British West Africa", *International Affairs*, Vol. 21, No. 2, April 1945, pp. 206-219   Cited in Michael Crowder, *The Story of Nigeria*, London, Faber and Faber, 1966, p. 271.

[19]James S. Coleman, *op. cit.*, p. 107

was set up.   This was the Harragin Salaries Commission, 1945, named after the Chief Justice, Sir Walter Harragin.

In effect, the commission recommended structural changes embracing grading, salaries, and other conditions of service in the four West African Colonial Services.   The classification of posts in the civil service as 'European posts' for whites, and 'African posts' for the blacks, was replaced by new categories of 'Senior Service'.   Expatriate holders of positions in the Civil Service were entitled to 'expatriation pay'.   The 'Senior Service' personnel, mainly expatriates were entitled to car allowances with rent fixed at ten per cent of their salaries.   But for the Africans the awards from the commission were shorter vacations, bicycles, and motorcycle allowances. Voluntary retirement for all in the service was fixed at the age of forty-five while the pensionable salary was increased by ten per cent.[20]

For all its worth, nothing in the Harragin Commission's Report incensed Nigerians as the 'expatriation pay' established solely for Europeans who were in the colonial service.   Even with other privileges attached to the 'Senior Service' posts, which were dominated completely by Europeans, it was no less a bold attempt to perpetuate discrimination against Nigerians whose country produced the money of which they were deprived.   The 'expatriation pay', therefore, provided a part of the political fuel which lit the fires of open resentment towards the colonial bureaucracy.

Nigerians, at this time, were pressing for participation in the government which ruled them but their demands met with impervious attitudes from the colonial administration.   The inter-war years were marked by an almost total lack of dialogue between the colonial administration and the increasing educated Nigerians.   To most of the British officials, there could be no such dialogue.   Some of them, especially those who were serving in the provincial administration never concealed their contempt for the educated Nigerians.[21]   The reactions of the Nigerian press and the rising generation of nationalists were equally undisguised in exposing the evils and injustices perpetuated by the colonial administration.

Nevertheless, conscience was at work abroad and attitudes towards colonial problems were changing fast.   Even in Britain, concerns about some shortcomings of the colonial administration were voiced.   In 1946 the then colonial Governor-General, Sir Arthur Richards, proposed a new constitution for Nigeria.   This came into effect in January 1947.   It was a solo effort at changing a system of government which he strongly felt was "unsuitable for expansion on the Nigerian basis".[22]   But the peremptory manner in which the constitution was introduced brought the whole docu-

[20]I.F. Nicolson, *Administration in Nigeria, 1900-1960*, Oxford, Clarendon Press, 1969 p. 249.

[21]Michael Crowder, *op. cit.*, p. 267.

[22]Kalu Ezera, *Constitutional Development in Nigeria*, Cambridge, Cambridge University Press, 1960, p. 66

ment and exercise under fierce fire of criticism. The constitution was singular in its devolution of power to the regions through the creation of Regional Assemblies.[23]

Sir Arthur Richards genuinely felt that such a measure would ensure maximum participation of all sections of the country in the central legislature but undoubtedly he was setting a stage for regionalism, ethnic rivalry and sectional politics which dominated Nigerian pre- and post-independent scenes. Not much time was given to trying the new constitutional provisions as was devoted to pouring vituperations on its various inadequacies as well as on the already unpopular colonial rule. However, under the constitution, Northern and Southern Nigeria were integrated in a common legislative council for legislative purpose. A development plan to cover a ten-year period was introduced but was frustrated by lack of qualified personnel because the Nigerian administrative service had been weakened during the war. A Department of Commerce and Industry was also set up.[24]

After a year and a few months, the Richards constitution, originally intended to last for nine years within which a review was to be made every three years, had earned its keep. With the appointment and arrival in Nigeria of a new Governor-General in 1948, a man more open to Nigerian opinion, the making of a new constitution was set in progress. Two years were used for consultations and discussions before the constitution was promulgated. During the period, agitation by nationalists[25] for employment of educated Nigerians in the administrative cadre of the service to ensure meaningful participation in the government which was ruling them continued unabated. It, therefore, became obvious "that the system Lugard devised to keep the educated elite of the South away from power was the very thing which tried their patience too far and made them work hard for it".[26]

Consequently, to make for the training and recruitment of Nigerians into the Senior Civil Service, the new Governor-General appointed a special commission,[27] in May 1948 , to study the situation and make recommendations. In its report, the commission agreed that non Nigerians should not

[23]Regional Assemblies were set up in each regional capital—in Kaduna for the Northern Region, in Ibadan for the Western Region, and in Enugu for the Eastern Region. For a fuller discussion on these, *see*, John M. Osthemeir, *Nigerian Politics*, New York, Harper and Row, 1973, p. 23. See also, Kalu Ezera, *p. cit.*

[24]Michael Crowder, *op. cit.,*, p. 276.

[25]*See*, for example, Dr. Nnamdi Azikiwe's speech in the course of the Debate on Appropriation Bill in the Legislative Council at Kaduna, March 10, 1948 in *A Selection from the Speeches of Nnamdi Azikiwe*, Nnamdi Azikiwe, Cambridge, Cambridge University Press. 1961, pp. 149-151.

[26]John P. Mackintosh, *op. cit.*, p. 155.

[27]*Commission on the Recruitment and Training of Nigerians for Services in the Government of Nigeria*, Lagos, 1948. This Commission was chaired by the Chief Secretary, Mr Hugh M. Foot, after whom the Commission is sometimes referred.

be recruited for any government post except where no Nigerian was available:

(*a*) That Public Service Board with non-official majorities should be appointed to select candidates for senior service posts and for scholarship and training schemes;

(*b*) That during the next three years, 385 scholarships and training awards should be made bringing a total estimated cost of scholarship schemes during the period to £ 225,000; and

(*c*) That a special additional allocation of thirty scholarships should be made for women.[28]

These recommendations constituted a turning point in the 'expatriatisation,' to borrow Prof. Coles[29] word and in the development and organisation of the Colonial Nigerian Civil Service. It signalled the Nigerianisation of the service, a process which evoked policies of sub-localisation like 'Northernisation' and 'Southernisation'. Table 1 shows the numerical

TABLE 1 NUMERICAL STRENGTH OF NIGERIANS AND EXPATRIATES IN SELECTED DEPARTMENTS OF THE CIVIL SERVICE BY 1948

Departments	Total Figure for the Department	Numerical strength of Nigerians	Numerical Strength of Expatriates	Approximate Number of vacancies
Medical	622	75	303	244
Administration	582	9	425*	148
Agriculture	131	3	65*	63
Education	384	12	84*	288

Total figure for the entire Civil Service   3786
Total positions held by Nigerians   245
Total vacancies   1245

From the above mentioned figures, it could be estimated that Europeans held 1590* positions.

*These figures are each obtained from adding the totals for *Nigerians* in each department to those for *vacancies* in each department and subtracting the sum from the total figure for the Department or Establishment.

SOURCE : The table has been constructed with the data given in John P. Mackintosh, *Nigerian Government and Politics*, Evanston, Northwestern University Press, 1966, p. 168.

[28]Some proposals put forth by the Foot Commission cited in Kalu Ezera, *op. cit.*, pp. 86-87. It is significant that another author adds the fact that "special consideration should be given to applicants for scholarships and training courses from Northern Provinces". This obviously recognised the unhealthy effect of Lugard's policy of shielding the Northern Provinces from the influence of western education. *See*, I. F. Nicolson, *op. cit.*, p. 256.

[29]Taylor Cole, "Bureaucracy in Transition: Independent Nigeria", *Public Administration*, Vol. 38, Winter 1960, p. 331.

strength of Nigerians in the 'Senior Service' of some departments of the Civil Service in 1948.

In 1948, a senior expatriate official was appointed the Civil Service Commissioner in the Secretariat. He was to deal with the personnel management functions of the Civil Service in the process of expansion and transformation. In this post, he reported directly to the Chief Secretary, the Financial Secretary and the Governor. To the nationalists, his appointment and function were seen as an attempt to retract the devolution of powers to regions which the Richards Constitution had established. Any attempt at strict centralisation by the secretariat was vehemently opposed.

However, the agency managed to survive an arduous six years of complaints, criticisms, and protests. To its credit stood the fostering of the training of Nigerians in universities and other institutions as recommended by the Foot Commission and the effective regionalisation of the long standing unitary civil service in 1954.

PERIOD OR TRANSITIONAL ADMINISTRATION, 1951-1959

When the Macpherson Constitution came into being, it introduced the ministerial rule in 1951 at the centre (Lagos) and in the regions. Structurally, the Civil Service was still unitary and comprised the secretariat and the departments. There were, therefore, no ministries to receive the ministers who with other Nigerian politicians had expected a ministerial government of which the British pattern was a proto-type. But it was the British colonial design to give the new Nigerian ministers a certain measure of participation in running the government but no authority over any of the departments. The old practice of white supremacy was not completely dead and no white official was prepared to accept the intrusion of a Nigerian minister into affairs of his department.

The constitution permitted each minister to initiate discussion on policy relating to matters under his portfolio but it was the Council of Ministers which ultimately could make policies. Nevertheless, it was the joint responsibility of each minister and the British head of the department to ensure that policies were carried out effectively.[30] The problem which arose out of this arrangement was that the ministers, who had replaced the British professional heads of departments in the legislature but were not in full control of the departments under their portfolio, could not give full accounts of matters pertaining to those departments in the legislature. The ministers, therefore, were forced to ignore that Legal Department's advice of being "charged with responsibility for *matters* but not departments" and

[30]This portion draws heavily from Kalu Ezera, *op cit*, p 144

proceeded by convention to set up separate ministries under themselves.[31] Some senior administrative officers serving in the field were brought in to staff the newly created ministries. They were appointed permanent secretaries and assistant secretaries. So developed in the Nigerian civil service headquarters a structural pattern composed of two parallel units— the departments and the corresponding ministries—physically separated but "keeping parallel systems of files on the same subject".[32] It is worth noting that this arrangement though later modified by the integration of departments into ministries introduced conflict into the relationship between the professionals and the administrators.

At this time, under the Macpherson Constitution, bitter rivalry between political parties which drew their support and membership from each of the regions was in the ascendancy. The preclusion of ministers from effective control of the departments under their portfolio was equally drawing a lot of resentment and agitation for complete Nigerianisation of the top echelons of the administrative machinery. This resulted in the appointment of the Phillipson-Adebo Commission which was to review the progress made towards Nigerianisation since 1948, the year of the Foot Commission. The Phillipson-Adebo Commission produced the most penetrating and lucid analysis on record of the problems of Nigerianisation. However the report was published late in 1954 when other political developments had overshadowed it. The report showed that progress had been made in getting Nigerians into the senior service. Arithmetically the increase was from 246 in 1948 to 685 in 1952—a startling increase of 180 per cent.

By 1953 inter-regional political tensions had reached unmanageable proportions. The northern region's opposition to the western region's Motion for Nigeria's self-government in 1956 which was debated in the Central Legislature, the Kano riots of May 1953 and the resignation of the Action Group member from the Central Council of Ministers had rendered the Macpherson Constitution unworkable. These were signals to the British Government that no useful purpose could be served through foistings "centripetal system of government on a centrifugal social order".[33]

In 1954, the government of Nigeria was federalised. The three then existing regions and the federal government shared powers under the Lyttleton Constitution. The unitary civil service which developed haphazardly since 1914 was regionalised. The politicians' pet desire of control-

[31]Eme O. Awa, "The Development of Administrative Machinery in a New State: The case of Nigeria", *International Review of Administrative Sciences*, Vol. 30, 1964, p. 167.

[32]*Ibid.*

[33]Roberts S. Jordan, *Government and Power in West Africa*, New York, Africana Publishing Corporation, 1969, p. 160. Jordan explains that the consequences of such administrative actions as witnessed in colonial regime was the dependence upon military strength for the maintenance of law and order. Such actions in most situations precipitated riots and breaches of law as shown by events leading to the Kano riots of 1953.

ling the regional machinery of government was satisfied.   But for the Federal Civil Service, the effects of regionalisation were a mixture of a little good with some disadvantages. Besides ending the over-strained and cumbersome system of centralised control by the Civil Service Commission in Lagos:

> ... the 'regionalisation' of government in 1954 had the effect of releasing, under party government in each region, a pent-up reserve of energy, while at the centre, under an uneasy dyarchy of officials and Ministers from rival parties, there was instead an increase, in the complexity of government, taking place at the same time as a drying up of the normal, regional sources of administrative staff and a loss to the new regional services of East and West, of some of the most competent Nigerians.[34]

Another development which affected the Federal Civil Service as well as the regional civil services seemed to have cushioned the impact of the regionalisation on the services.   Before 1954 the structure of the administrative service in Nigeria had a typical pattern where nearly all expatriates held positions in the 'senior civil service' while most Africans like underlings found themselves in the 'junior' service.   Very few (expatriates or Africans) ever held middle management positions. The appointment of the Gorsuch Commission in 1954[35] which was asked to report to the federal as well as to the regional governments on the "structure and remuneration" of the new civil services was the first attempt at giving the federal as well as the regional administrative bureaucracies 'indigenous' structures.   The Commission argued that:

> the time has come to look at both questions primarily in terms of a public service which is destined to be indigenous in composition at all levels.   If any part of the structure has been shaped in the past by the influence of predominantly overseas recruitment or staffing, it cannot be taken for granted that that part should remain unchanged in the fabric of an indigenous service.   Structure and remuneration alike should now be measured by the yardstick of Nigerian conditions and requirements, and be designed to attract the best of the men and women that Nigeria produces.[36]

An early report[37] by a colonial Office Training Mission in the same year

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[34]Nicolson, *op. cit.*, p. 283.

[35]*Commission on the Public Services of the Governments of the Federation of Nigeria 1954-55*   The Chairman was L. H. Gorsuch after whom the Commission and Report are sometimes referred.

[36]*Ibid.*, par. 73, p. 35.

[37]*Report of the West Africa Survey Mission on the Training of Civil Servants in Nigeria (Central Government).*   By Lt.-Col. J. Imrie, M.B.E. and Mr. D. G. Lee, September 1954.

1954, had made the following observation on the structure of the Federal Civil Service:

> The normal organisation is pyramidal in structure, the pyramid of posts which make up the structure is also a pyramid of gradually increasing duties and responsibilities. ...We feel that in Nigeria the pattern of organisation militates against this. Too often, instead of being pyramidical it is like an hour-glass, broad at the bottom, narrow in the middle and broad at the top.[38]

The thrust of Gorsuch Commission's work was, therefore, to provide a structure of the service that would give middle management posts (executive grade) to the civil services. The 'senior' and 'junior' divisions provided for by the Foot Report were seen to have encouraged scholarship aspirants in the 'junior' service (clerical and sub-clerical) to regard service in those grades as nothing more than a temporary expedient while the energies were concentrated on something higher.[39] The absence of the executive grade therefore forced the administrative and professional officers "to devote far more of their time than should be necessary to routine executive work."[40]

The whole service was reclassified into five grades for both the administrative and professional groups as shown in Fig. 1.

FIG. 1 GRADES IN THE NIGERIAN FEDERAL CIVIL SERVICE AS RECOMMENDED BY THE GORSUCH COMMISSION OF 1954-55

Administration	*Profession*
Superscale	Superscale
Administrative	Professional
Executive	High Technical
Clerical	Technical
Sub-Clerical	Minor Technical
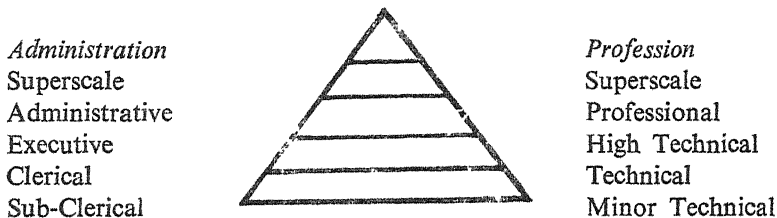
SOURCE : *Report of the Commission on the Public Services of the Governments o, the Federation of Nigeria 1954-55* p. 37.

By offering this re-classification, the Gorsuch team had envisaged the obliteration of the concepts of 'senior' status and 'junior' status which conjured the image of two grades in the service. But with Nigerians themselves inheriting the perquisites—status, quarters, motor cars and other symbols assigned to the departing Europeans who occupied mainly the 'senior

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[38]*Report of the West Africa Survey Mission on the Training of Civil Servants in Nigeria, op. cit.,* p. 7.

[39]Gorsuch Report, *op. cit.,* p. 37.

[40]*Ibid.*

grades—the two concepts, and the images associated with them' remain till today ghosts incapable of being exercised in the federal as well as the regional (now state) civil services.

Whatever might have been the merits of the Gorsuch Commission's recommendations regarding what the structure of the Federal Civil Service should be, one brief observation is in order. The structure which was recommended by the Commission, accepted by the governments, and finally used in the civil service was foreign and did not help in furthering the indigenous quality of the new civil service.   L.H. Gorsuch, himself a British man, might have been partially influenced in his recommendation of the structural pattern for the new Civil Service by what at that time was operating in the British Civil Service.[41] However, he did not even fully recommend the pattern used then in Britain, By 1954-1955 when the Commission made its recommendations, the levels of administrative posts in the structure of the British Civil Service were as shown in Fig. 2. The structure "was fundamentally the product of the Northcote-Trevelyan Report[42] of 1853".

FIG. 2 GRADES IN THE BRITISH CIVIL SERVICE BY 1954-55

Permanent Secretary	Superscale	
Deputy Secretary		
Principal Secretary	Administrative	
Assistant Principal Secretary		
Senior Executive Officer	Executive	
Executive Officer		
Clerical	Clerical	
Clerical Assistant		
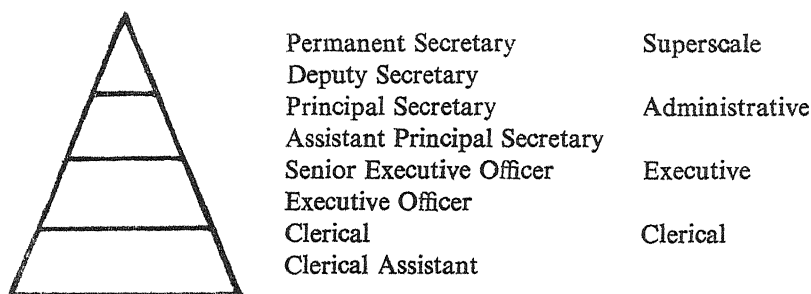
SOURCE : G. A. Campbell, The Civil Service in Britain, London, Gerald Duckworth & Co. Ltd., 1965, p. 53.

However, by the Gorsuch Committee's failure to have recommended a level or more in between the Administrative and Superscale grades as was in use in the British Civil Service, a situation arose whereby graduates

[41]J. K. Akingbade, "Administrative Reform of the Civil Service: The Nigerian Experience", *Quarterly Journal of Administration*, Vol. VI, No. 3, April 1972, p. 246.

[42]Lord Fulton, *The Civil Service Vol. I Report of the Committee 1966-68*, London, Her Majesty's Stationery Office, 1968, p. 64. The Fulton Commission notes that "one of the basic principles (of the Northcote-Trevelyan Report) was that a proper division of labour depended on a clear separation of intellectual from routine work, and on the separate recruitment and deployment of staff for each". This principle has been endorsed as regards initial recruitment by subsequent Royal Commissions and Committees of Inquiry. "Hence the division of the Service into upper and lower classes in the broad areas of work. The Administrative, Executive and Clerical classes are examples of these divisions. ...."

generally recruited into the service in the administrative grade found them-
selves, on their first promotion, in the Superscale posts. The result was
that in such a period of rapid transition there were some 'half-baked'
superscale civil servants who earned salaries that were not commensurate
with their productivity in the service. This unleashed a lot of pathological
tensions from specialist ranks where, in most cases, training took many
years while promotion prospects were slow.

Nevertheless, the Gorsuch Commission gave to Nigeria the benefit of
organisation in the civil service, emphasising "the importance of manage-
ment training and clarity in the division of functions as between the public
Service Commissions and the Establishment divisions."[43]

Three other factors are worth noting in the development of the Federal
Civil Service during this period of transition. First, was the introduction
of political considerations into decisions on Civil Service matters. Nigerians
following the British practice had professed to the ideal of a politically
'neutral' civil service. It has earlier been pointed out that the desire by
Nigerians to control the machinery of government and the public service
was made a hot political issue beginning immediately after World War II.
At that time, when Nigeria was under a unitary constitution, all political
attacks were directed at the British colonial personnel. 'Nigerianisation'
then was a political aspiration, the development and realisation of which
were to the disadvantage of the expatriates who dominated the top levels
of the public service.

With the introduction of the Lyttleton Constitution under which the
country was federalised, the regions had their own public services. The
issue of Nigerianisation of the Federal Civil Service degenerated into messy
political squabbles between the two major southern political parties and the
main political party in the North. The North, which was educationally
less privileged than the South, refused to support swift efforts at Nigerianisa-
tion of the top echelons of the Federal Civil Service as it was clear that it
was tantamount to 'Southernisation' of all its 'senior' level positions since
it was the Southerners who by then held all the junior posts. 'Southerni-
sation' as such would have meant depriving the Northerners of a foothold
in the Federal Civil Service where the opportunity exists for influencing of
policies on development in various areas of the country, on jobs, contracts,
etc.

Nicolson cites a striking example of weak control on the Federal Civil
Service which came as a result of lack of agreement within a coalition govern-
ment made up of British officials who, by 1955, were still responsible for
civil service matters, and southern and northern Nigerian ministers. In
1955, the House of Representatives demanded from the Council of Minis-
ters a comprehensive statement and proposal for the speeding up of Nigerian-

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[43]Mackintosh, *op. cit.*, p. 178.

isation. There was basic agreement within the Council of Ministers on the need, "in the interest of the federation", to make the Federal Public Service representative of a cross section of the Nigerian population. But the self interest of the parties in the Council of Ministers did not permit the drawing up of a dynamic policy for speeding up of Nigerianisation as was the case in the regions, whose executive councils comprised of members of the dominant parties. The expatriate officials wished the Nigerian government to honour the pledges given to them. The southern ministers pressed for rapid Nigerianisation while their northern colleagues were eager to hold back until Northerners could come up with suitable candidates for appointment.[44]

This phenomenon of weak central control made it almost impossible for the ministers to delegate authority to the officials some of whom had lost confidence and initiative.

Secondly, in 1957, the office of the chief Secretary was abolished. With it ended the sharing of the headship of the service between the Governor-General and the Chief Secretary.[45] In the same year, the post of Prime Minister was established. The period before independence was one in which the Federal Civil Service had to deal with the problems of the exodus of expatriate officers and the staffing of the various positions which were vacant. Unfortunately it had no good guidance from the uneasy coalition cabinet, and worse still, there was no full time head of the public service to whom the officials could look for leadership and who could be held responsible for proper administration of a responsive service. This situation when compared with that in any of the regions left the Federal Civil Service at a disadvantage in carrying out its onerous responsibilities.

The absence of an official Head of the Federal Civil Service and lack of clear delegation of authority from the strife torn coalition cabinet created a situation where the Prime Minister, himself a politician, was drawn closely into supervising civil service matters. His appointment of a fellow Northerner as the Chairman of the Federal Public Service Commission, besides appointments of Northerners as Permanent Secretaries whose experience and qualifications—regardless of their personal qualities—would not have secured their appointments in the normal way, is seen as an indication of the extent to which the political imperative of increasing northern representation prevented the effective realisation of the ideal of a non-political civil service.[46]

Thirdly, once the old secretariat was dissolved and the posts of civil secretary and financial secretary were abolished, it was easy to integrate the departments with the ministries. Housed under the same roof, and, keeping a common filing system, these two branches of the Civil Service

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[44]Nicolson, *op. cit.*, p. 297.
[45]Mackintosh, *op. cit.*, p. 187.
[46]*Ibid.*, p. 198.

became the professional and administrative divisions of each Ministry. The ministry was to be headed henceforth by an administrator, styled the Permanent Secretary, while the technical or professional division within the ministry was to be headed by the professional doctor, educationist, agriculturist, engineer, or whatever the profession might be.

This arrangement safeguarded the position and function of the minister as provided for in the constitution. He was virtually the boss of his ministry and was held accountable by the legislature for the work and shortcomings originating from same.[47] Policy decisions by ministers, of course, were expected to be backed up with sound administrative and professional advice which, though individual ministers were not necessarily bound to accept, had to be weighed and given consideration. On the other hand, integration set the professionals and the administrators at daggers drawn. Even though the federal government had adopted the principle whereby a highly experienced professional head of a large executive establishment was given a higher salary than the permanent secretary within the same ministry, professionals felt that ministries charged with technical matters should be headed by a technical or professional man.[48] Complaints were often aired by the professionals about the boss complex of administrative officers in their relationship with professional officers; of professional advice being subject to nonprofessional criticism by administrative officers; of management of professional work programmes including postings and financial control being subject to directions from administrators; and, of promotions prospects, perquisites, status and prestige being far better in the administrative than in the professional services.[49] These pathological tensions seem to have been laid to rest by the recommendations of the Public Service Review Commission, 1974, which introduced a unified grade structure[50] and by the removal of the post of Permanent Secretary from the career structure thus ending its having to be regarded as part of the *normal career expectation* of a particular group of officials.[51]

On October 1, 1960, Nigeria became an independent nation. The British control of the civil service had ended and Nigerians were assuming

[47]See, *The Constitution of the Federal Republic of Nigeria*, Lagos, Federal Ministry of Information, 1963, par. 91.

[48]E.O. Awa, *op. cit.*, pp. 168-69.

[49]Such complaints have been made before a Review Commission on the Public Service recently. *See, Federal Republic of Nigeria Public Service Review Commission Main Report*, Lagos: Federal Ministry of Information, September 1974, par. 100.

[50]*Ibid*, par. 102.

[51]*See, The Public Service of Nigeria: Government Views on the Report of the Public Service Review Panel*, Lagos : Federal Ministry of Information, September 1975, paras 4(1) which sets grading for all Permanent Secretaries in the Federal Civil Service at Grade Level 17 and 4(iv) which states that all officers in the Ministry within line management, irrespective of their discipline and background, should have equal opportunity of being considered

permanent control of the machinery of government. Sad enough, it was not a new machinery of government but the colonial model.

This paper has investigated the historical roots of the present-day Nigerian civil service. It has reflected on some of the ills which attended the colonial civil service. These weakenesses were inherited with the Civil Service at independence. They included the organisational character of the civil service which was elitist as well as segregative, the structure of the civil service, and its operational and procedural norms. Transferred also to the independent civil service were both the attitudes of the few Nigerians in the colonial civil service and the public's attitude towards the civil service.

These inheritances created problems which affected the efficiency of the system thus exposing it to widespread criticism and dissatisfaction from within and outside the civil service. Reacting to the state of affairs in the civil service the federal government set up, in 1974, the Public Service Commission to review the entire system. The Commission came out with concrete recommendations, in its report, with a view to instituting attitudinal and structural changes in the civil service besides putting the Civil Service in a better position for effective development action.   □

for appointment when filling future vacancies in the grade of Permanent Secretaries (chief executives).

On the position of professionals, and others within line management, the Federal Government's white paper stated in paragraph 5 that "...in order to make the unified grade structure relevant to the needs of the country, professionals and other officers (within line management who on merit should advance beyond the normal career expectation and are otherwise eligible for the post of chief executive but who for various reasons are not given that post) should be given the opportunity to earn as much as the chief executive. In the, cases of specialists and others outside line management referred to in paragraph 4(iii) above they should be able, on the basis of outstanding performance and merit, to earn salaries at levels up to or exceeding those of Permanent Secretaries as chief executives will continue to have overall responsibility for their Ministries." Finally, in paragraph 8, the policy Paper states that for the Federal Civil Service, " . . . all posts of Heads of major Departments carrying former salary Groups 3 and 4 should be effectively ranked in Grade Level 16".

Latent and Manifest Aspects of Accountability in Public Administration*

Harshad R. Trivedi

THEORY IN any field is the *sine qua non* of wellbeing of man and his progress from primitive times to date. Man cannot survive even for a second without latent or manifest awareness and practice of theory of sorts in day-to-day life. To give a simple illustration of importance of theory, I tell my friends that the so called unskilled sweeper in the street is consciously or otherwise aware of a theory and acts accordingly. He sweeps in the same direction in which the wind moves. If he sweeps in opposite direction he violates the theory of association of wind with the rubbish to be removed, and he fails. This theory however does not work under certain conditions. For example, if the sweeper sweeps in a closed hall, he can choose to sweep in the opposite or any direction. He does not fail in his freedom under controlled conditions. Thus, every theory has limits and flexibilities which cannot be refuted in general.

We tend to make overt or covert mistakes when we castigate theory as such. This is what J. D. Sethi has done in his otherwise bold and brilliant analysis and interpretation of contemporary Indian malaise. Nevertheless, his basic criticism is right when he says "... although Weber and others had theories of bureaucracy that become the stuff of every textbook, their models have turned out to be too rational and too neat for any living bureaucracy to conform."[1] This is because most living bureaucracies are not operating under the conditions in which Weber had thought that they might be working. Most of them are existing in closed or partially closed conditions where the wind of freedom does not blow constantly and at a uniform speed. This is more so in a country like India than elsewhere. It is, therefore, natural that "There is a total lack of new organising principles to guide the restructuring of relationships"[2] in administration, so to say. No theory works under differentiated conditions and unless we try to understand what these conditions are, it is difficult to substitute new organising principles for restructuring empirical relationships and rationalise them at the same

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*It is a critique on an article by J. D. Sethi on "Bureaucracy and Accountability", published in Vol. XXIX, No. 3 (July-September, 1983), of the *IJPA*, pp. 525-538.

[1] J. D. Sethi, "Bureaucracy and Accountability", *IJPA*, Vol. XXIX, No. 3 (July-September, 1983), p. 526.

[2] *Ibid*, p 538

time. Max Weber's theoretical proposition relates to administrative decisions of substantive nature and not of operational nature in the sense that they keep values as guiding stars for making decisions. These values are protection of hierarchy, rationality, anonymity and impartiality. Ideally speaking, there are no exceptions to these values in bureaucracy when they are translated into operational principles. This makes the general theory of bureaucracy of Weber fool-proof. We are using here the terms 'administration' and 'bureaucracy' interchangeably because, at conceptual level, the substantive and operational aspects of these terms merge together. And this also helps us in discussing the arguments of Sethi.

In contrast to Weber's theoretical proposition, Sethi refers to the theory of bureaucracy by Trotsky. According to this, the USSR's October Revolution of the people was betrayed by "self-seeking bureaucrats"[3], who influenced and affected the revolutionary leadership. Together, they formed a clique, monopolising power and becoming accountable to none. He further concludes that Marx saw the elimination of bureaucracy but Stalin replaced it. In any case, the Weberian theory of bureaucracy is not affected as it is based on democratic principles and not on dictatorial or feudal ethos. The contributions of other authors, in the *IJPA* issue under reference, also treats bureaucracy within democratic set-up. None of them have made adverse criticism of the Weberian theory.

Sethi is rightly aware of the fact that a clear cut theory of accountability is not possible because perhaps the concept is nebulous and exists in the form of overt and covert hypotheses. What he is not aware of is that he deals with the subject only at macro-level and so do most of the other contributors of the articles in the *IJPA* issue under reference. Moreover, his difficulty is that perhaps he is not aware of middle-range theories and time-bound working hypotheses which are helpful in understanding socio-cultural phenomenon. Public administration is basically a qualitative, applied discipline, a philosophy and not a pure science. This is why Editor T. N. Chaturvedi refers to Fredrick C. Mosher and says that the first objective accountability is akin to answerability to a person or organisation and secondly, it is equivalent to loyalty and conscious identification of a person with whom one feels responsible—a kind of moral duty.

It is natural, therefore, that Sethi goes to demystify quite a few hypotheses which I would identify as middle-range theories concerning accountability. He analyses and interprets six hypotheses for this purpose. In the first place, he refers to purely constitutional approach which covers parliamentary, financial and judicial accountabilities. Secondly, he refers to public sector being influenced by economic factors and policies of the government. Thirdly, he refers to supply and demand theory wherein bureaucracy is expected to be neutral but mediatory role of politicians makes

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[3]Sethi, *op. cit.*, p. 526.

bureaucrats behave differently which subjects people to sufferings.   Fourthly, he admits that neutral bureaucracy (impartial in Weberian sense) satisfies the principle of accountability, but he rightly says that it should not deviate too much under political pressures. Fifthly, he attacks development bureaucracy which is said to have done great damage to the normal relationships between professionals and civil servants.   According to Sethi, the principle of neutrality has suffered here in favour of bureaucracy weighing on the side of vested interests in the society.   Sixthly, the mechanism of delimiting the scope of accountability through legislative measures is not proper.   For, the distribution of decision-making powers makes it impossible to apportion accountability.   In the end, Sethi advances the theory of keeping a balance between various components utilising power at macro level.   The four components are politicians, senior civil servants, judicial bureaucrats, and the financial ones.   How can they ensure identification of their relations with those of the public and the nation is a moot question to him.   The balance of power between different components in a democratic society have qualitative as well as quantitative dimensions and that makes attainment of balance of administrative decisions most difficult to realise.   In my opinion, we are facing an additional difficulty of ignoring the power of important common individuals and groups in the society who influence all the four components listed by Sethi.

Since India is a country of many ethnic groups at microlevel, operating on specific and general hierarchical principles, the problems of keeping balance between various power components at macrolevel in the bureaucratic set-up of the society are hard to surmount.   These latent social forces heavily impinge upon manifest structural relationship of the components of power who are forced to seek adjustments at various levels in the sociocultural system.   Here, it is difficult to maintain the balance of power that gets reshuffled in the process of redistribution of the same (from public election to election) at local and national levels.   Sethi does not see the problem of accountability in the light of this analysis which indicates that individuals and small groups in the society also play significant role in corrupting the power elites.   He admits, "... macro power balance is a necessary though not a sufficient condition for achieving bureaucratic accountability."[4] As a corollary, he says, ".. the central issue is what makes bureaucracies more or less accountable under different social and economic arrangements."[5]

It is interesting to note that Sethi started with the criticism of the microlevel theory of Max Weber and without justifying his criticism conclusively, by citing the revolutionary theory of Trotsky, entered into macro-level analysis of middle-range theories or hypotheses.   In the end, we find that

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[4]J. D. Sethi, *op. cit.*, p 531
[5]*Ibid.*

he got disenchanted with his own expectations of maintaining balance of power at macrolevel in the society.   Administrative accountability is finally looked upon by him as a problem to be seen in the context of different social and economic arrangements in contemporary India.   To my mind, this is the crux of the problem.

Looking at the potentiality of corruption and misuse of power at micro-level also, it can be said that Sethi makes uncalled for and serious allegations on the top elites.   He writes, "The general decline in accountability in Indian administration can be traced to decline in integrity and efficiency of the elected political power elite who coalesce with the senior bureaucrats at the appropriate level in power hierarchy."[6]   Here, he overlooks the role of financial bureaucrats of the private sector and of the innumerable micro-level ethnic groups who are ever busy to corrupt not only the former two power components but also others to earn major or marginal benefits of economic development or of petty favours.[7]   Sethi further suggests that opposite of accountability is conspiracy arising due to money-spinning activities of power components.   This may be partly true at the macrolevel of administration, but at the meso and micro levels of administration, it is the security of job that is likely to motivate a person to violate prescribed norms of accountability to get things done for or on behalf of the higher-ups.   In such cases, it is difficult to say that there was at any time premeditated conspiracy shared by the two parties concerned.   However, there is no doubt that we are a group of what the eminent French Anthropologist Louis Dumont calls *Homo Hierarchicus*.   We are too self-centred and capable of converting class into caste to enjoy the best of both the worlds. In this perspective, we can agree with Sethi when he says that Indian bureaucrats at various levels act as a 'bad caste' with a low degree of accountability.[8]

The mechanism of reward and punishment in public administration was used effectively in the past, but today it has become nearly obsolete due to politicisation and great expansion of roles and functions of organisations leading to multiplicity of functionaries at different levels.   It has, therefore, to be supplemented by evaluation and monitoring systems for smooth running of a bureaucratic machinery.   The   political   interference in individual cases has been increasing for good or evil and this can also affect evaluation and monitoring systems of policy making and implementation. The problems cannot be solved by stopping bureaucrats deviating   from

[6]J.D. Sethi, *op. cit*, p. 532.

[7]When an officer went to buy a small item of stationery for my Institute at a shop in Ahmedabad, he was asked how big an amount he would like to be put in the bill. Not only this, the shopkeeper was prepared to give it on credit—so that he has a regular cus-tomer.   This may be an isolated instance, but it speaks of current new norms in our society

[8]J. D. Sethi, *op. cit*, p. 535

their roles and by participation of relevant groups for improving administrative apparatus. Sometimes a deviation is imposed on them. Sethi has not described the nature of relevant groups explicitly. He is really worried about what benefits the people get from development as the administrative system has, according to him, "degenerated into total corruption". As indicated by him, non-political voluntary bodies, such as citizens councils in urban as well as rural areas, seem to be the appropriate groups which can stem the process of degeneration. This is an excellent idea, and if state and nation-wide federations and confederations of such groups are organised, they can certainly help create mediatory roles to take care of serious administrative hurdles and lapses coming in the way of legitimate rights of the people. The only guarantee needed for healthy functioning of such relevant groups is that the politicians keep away from them with the spirit of religious sanctity. Restructuring of organising principles can no doubt be achieved by operationalising such a model of diverse components of power in India. In any case, it is not possible to conclude that Indian bureaucrats are losing the sense of accountability to the people, politicians and to themselves. □

Politics of Planned Change

Andrew Kakabadse

CHANGE IS nothing new to any organised society. From ancient times to date, individuals, groups and nations have had to cope with numerous changes. Changes of political, military and social leaders; changes of national and of local politics; changes of geographic boundaries; changes of the way of life brought about by the application of new technologies leading to changes in the structure of communities.

Change has always been big business. Yet, people are wary of change. Change involves disruption. For so many people, the possibility of change generates images that seem fearful, anxiety provoking, awe inspiring and many of us are left with a suspicion —will I be able to cope? It is no coincidence that both individuals and the media report the negative experiences of change.

Part of the problem is recognising that changes need to take place. Once recognised, people have to come to terms with the fact that the changes they have to work on may not be the ones they had expected. Further, people may lack the confidence to implement change or they may even be unsure what steps to take to introduce change. Fears and anxieties about the future are as much a reflection of people's inadequate preparation for change as fears for change itself.

Steps for Planned Change

From my experience, as an interventionist and consultant, the following seven steps to effective planned change are identified: (1) Mapping the issues, (2) Just one problem to start with, (3) Using third parties, (4) Hire for innovation: reward for loyalty, (5) Developing management development, (6) Opposition: sidestep or crush?, and (7) When to stay/ when to go.

MAPPING THE ISSUES

In order to identify and understand the issues that dominate people's attention, it is necessary to talk to various individuals and groups in more informal, comfortable, and relaxed surroundings. In this way, sufficient rapport between different individuals and groups can be generated to

facilitate talking to each other about matters important to them.

Under more relaxed circumstances, is it easier to build trust and rapport so that people share information and views, and even explore concerns without having to take a particular stand on one or more issues. Often, when people face problems at work, they may feel pressurised to take a definite view even without fully understanding the broader issues. Part of the process of mapping out problems in a relaxed environment is to help people understand the broader issues influencing their work environment.

The mapping process can be conducted by holding confidential one-to-one meetings, informal small group meetings, lunches, and brain-storming sessions. Each approach could be effective depending on the objectives being pursued.

JUST ONE PROBLEM TO START WITH

Map out all you want, but at least test it once, before putting the map into action. Mapping is a theoretical process. It only becomes real when applied. Until application, it is impossible to state accurately whether the most relevant data has been gathered, whether people's reaction to change has been well understood or whether the changes proposed are what the populace want or will tolerate.

Further, putting a complete map into action could easily alienate those at the receiving end. A workable rule of thumb is that people are not fond of change until they recognise the advantages thereof for them. To introduce too much too quickly is to overwhelm; and to overwhelm is to blind all to the advantages they can gain.

The cardinal rule is, just one problem to start with! If the problem is successfully managed, it will lead to success. Others will wish to be identified with the experimental venture.

If unsuccessful, the situation is not lost. An unsuccessful experiment will provide valuable data for the map. The change-agents may lose some credibility and be required to temporarily slow down, but will still be able to continue with their long-term plans. The worst possible outcome is to introduce too much too quickly, invest highly, allow the situation to deteriorate and hence stimulate a climate of anti-change that will allow no developments to take place. The first step of implementing change will strongly influence people's opinions towards change in succeeding years.

Illustration

Ain't the Corn High Ma?
The keynote speaker at the "What's Happening in Management Development Conference" 1980 (held at Cranfield School of Management), was Prof. Gordon Lippitt of George Washington University,

U.S.A., a world renowned behavioural scientist and well-known humourist.

To the conference delegates, Lippitt related the story of an elderly, conservative mid-west U.S. farmer who was searching to buy another farm. One day, the farmer and his wife were exploring a locality; the farmer was attracted to the area, his wife not. During the car journey, the wife complained that she did not like the style of housing in the area, she was not attracted to the people, there were too many telegraph poles and far too many electricity pylons. The farmer listened and commented little. He thought to himself, what is the one thing I can do to change this woman's mind? Suddenly, he stopped the car, ran out, taking his wife with him into a field and said—"Y're right, but ain't the corn high Ma?"

Within a month, they had moved into the farm.

USING THIRD PARTIES

A third party is a person or group of people, who assist continued development of the organisation by helping to diagnose problem areas, generate new strategies, implement solutions and review the continuous process of change and development. Third parties are facilitators, who develop activities that are not the responsibility of any full-time employee. A third party is the additional member to supervisor/subordinate or colleague/colleague relationships.

Consultants occupy third party roles. It is misleading, however, to assume that only consultants act as third party facilitators. In medium to large sized organisations, where issues of coordination are as paramount as issues of control, line managers are increasingly being utilised as third-party facilitators. In order to be effective, the line manager has to develop third-party skills so that he can act as a consultant to his own colleagues.

The practice of consultation comes from a person considered expert in a particular field, the consultant, advising another person (the client) about particular techniques and practices.

Equally, the expert may venture beyond advice and implement a particular technique or practice and then train his client to maintain the new system.

Another aspect of consultation is listening to the client's problems and helping him to find his own solution. Under these circumstances, the consultant does not know the solution(s) to his client's problems. The consultant allows his client to fully identify his particular problems and explore alternatives. The final decision, as to what alternatives should be implemented as solutions, rests with the client.

In order to become effective at using third parties, it is necessary to under-

stand the process of third-party interventions A four-phase process to consultancy interventions is identified.

ENTRY	INTERVENTION	EVALUATION	DISENGAGEMENT

FIG. 1   PHASES OF CONSULTANCY PROCESS

Entry

Because of certain changes or problems that have arisen and have been identified, a consultant is called onto the scene.   Presumably the client has entered into some sort of a search process, to identify the consultant he would require.   The problems, needs, symptoms and potential new developments would then be discussed between client and consultant.

The consultant should, from the outset, attempt to establish rapport and be relatively open with his client.   The following three questions need be considered:

- --Are the presented problems, the client's actual problems? For example, a client may hire a consultant to improve and stabilise current systems and structures.   In reality, others in the organisation are attempting to introduce changes to outdated systems of operation. The client could be using the consultant to act as a buffer to the more uncomfortable aspects of change.
- —Does the consultant possess the skills to work on both the client's presented problems and actual problems?
- —Is it possible for the consultant to build rapport with the client?

Intervention

Once some form of initial understanding between client and consultant has been negotiated, the intervention into the client's organisation has begun. At the intervention stage, a number of separate processes as discussed below have to be effectively managed for the intervention to be a success.

A. Diagnosis: The success of any consultant intervention depends on the original diagnosis made by the consultant.   Accurate diagnosis involves 'mapping out' the client's situation in its entirety.   Even though the client may have conducted his own mapping process, it is important that the consultant may be allowed to conduct his own.

Mapping must take into account two factors:

- —the objectives and achievements of the intervention, and
- —the process by which those objectives are to be achieved.

Both factors must interrelate for the intervention to be a success.   The consultant has to assess whether the original objectives to be achieved by the intervention are possible, bearing in mind the views, values and desires of the various people and groups in the client system.   Such a decision cannot be made unless data is accurately gathered.   In fact, part of the diagnostic process is not just to gather data for the consultant, but further, to feedback the data gathered to the various client groupings and identify their reactions. Their views on the data gathered about certain problems provides further information for the consultant.   Hence, diagnosis involves gathering appropriate data and at the same time developing commitment from the client system.   In this way, consultant and clients identify new needs and jointly develop strategies for change.

B. Implementation: The process of diagnosis and implementation overlap substantially.   Understandably so, for exploration and application go hand in hand if any intervention is to be effective.

However, once research has been conducted; once experimental designs have been put into practice, it is the time to negotiate for changes to be implemented.

C. Re-Negotiating Your Client: Effective research, numerous discussions and implementation of strategies may bring both the client and consultant to a different point than they had first expected.

Not only may plans and expectations have changed, but further the very need for the client and consultant to work together.   From the consultant's point of view, the client he first started with may not be the client with whom he should currently interrelate.   Changing clients, because conditions have changed, is not a simple process.   Other considerations have to be taken into account, such as:

(a) The original client may have identified himself with the project and the consultant(s).   To cease relating to him may damage the client's position in the organisation.

(b) Other people in the organisation may wish to become involved in the intervention and a conflict situation may develop amongst people holding vested interests.   To show too much sympathy or favour for any one group could be damaging to the consultant.

(c) With the development of the project, both original client and consultant may find that they are no longer required.

Illustration

The training manager of a well known shoe company hired an academic consultant to run a series of two-day, in-company workshops, examining the current problems and future prospects of the company.

Three workshops were organised, attended by selected senior and middle

managers. At each workshop, under the consultant's guidance, the problems the company faced were identified and analysed, and from this information, strategies for future were developed.

After each workshop, the consultant wrote a short report on the debate and its findings for the main-board directors. After the board had received three reports, the chairman requested that another workshop be run by the consultant.   It should be attended by a select number of the most capable managers in the company. However, instead of receiving a report, the main-board members would attend the workshop on the second afternoon and listen to a verbal presentation by the participants. The ultimate responsibility for the selection of the participants and the success of the workshop was given to the training manager.

The fourth workshop turned out to be a great success. Conversation and ideas flowed easily amongst the participants.   They, in turn, gave a good account of themselves in front of the chairman and the main-board members. Some of the ideas they presented were adopted by the board as part of their strategic planning.

The only unfortunate consequence of the final workshop was that it became noticeable to most that the training manager was out of his depth and his intellect did not stretch to handling strategic development issues. The consultant quickly realised the inabilities of his client and allied himself to the director of personnel and training in the company. In fact, the consultant suggested to the director of personnel that the training manager should no longer be used in the strategic planning of the company's personnel. The director agreed and without any explanation to the training manager, transferred him to a subsidiary of the company. The consultant survived and is now working with the main-board.

Evaluation

Both client and consultant should evaluate the intervention in some way. The assessment procedure may take the form of a discussion on the value of the intervention, or a more controlled study utilising certain data feedback techniques.   Swartz and Lippitt provide a comprehensive evaluation model.

Swartz and Lippitt's Evaluation Model

Professors Swartz and Lippitt[1] consider that evaluating a consultant's intervention involves following four interdependent elements:

(a) *Areas of Evaluation*: Three areas of evaluation are identified: (i) Client/consultant relationship, which includes the personal and

[1]D. Swartz and G. Lippitt, "Evaluating the Consulting Process", *Journal of European Industrial Training*, Vol. 4, No. 5.

professional relationship between client, client system and consultant; (*ii*) Consulting/training events which includes assessing survey-feedback meetings. Assessing the input and contribution of these types of events, in turn, influence the future design of the project; and (*iii*) Progress towards specific goals—it is important to generate criteria which helps the client understand his progress in the project.

(b) *Criteria for Evaluation:* Four criteria for evaluation are identified: (*i*) Cost *vs* profit, which includes consulting time and expenses *vs* outcomes, such as increased sales or decreasing costs; work pattern changes, such as reduced turnover, less absenteeism, and fewer grievances; (*ii*) Behaviour observation, such as, to know whether the client was more relaxed and functioning in a more assertive manner; (*iii*) Changes in organisation structures, such as simplifying lines of communication; and (*iv*) Reactions of the client(s) to the consultating process, such as the client's expressed feelings about the consulting relationship, participant's evaluation of a training event, dominant attitudes in the client organisation elicited by attitude surveys.

(c) *Sources of Data:* Four sources of data are identified : (*i*) The sponsor —those who have a strong interest in the initiation, progress and final outcome of the intervention—such a key manager, board of directors, executive committee, etc.; (*ii*) The client—the person who makes the 'go' or 'don't go' decisions about the direction and development of the intervention; (*iii*) The client system— any person or group directly involved or affected by the intervention; and (*iv*) The consultant.

(d) *Methods of Data Collection:* Five methods of data collection are identified: (*i*) Observation, such as noting individual and group behaviour as it relates to job performance: (*ii*) Questionnaires, which are designed and standardised formats that ask for individual written responses concerning attitudes, viewpoints, opinions, per-ceptions; (*iii*) Interviews—face to face or person to group—identi-fying, in-depth perceptions, ideas and feelings; (*iv*) Documentation of archival and current records, and recorded data, which shows changes and trends resulting from the intervention; and (*v*) Instru-ments—specially designed data collection devices whose aim is to stimulate individual feedback about a situation, and provide a framework for further evaluation.

Disengagement

Disengagement involves bringing the project to an end, or reduced involvement in the client system. Three rules exist to ensure effective disengagement.

1. Disengagement should be a mutually acceptable decision to both

the consultant and the client. Any third party facilitator should realise that his contribution will, in time, be no longer required. Hence, it is necessary to manage a reduction of involvement for the consultant. Usually, the decision to reduce involvement is made by one or other party, but it should be acceptable to both.

2. Emphasise the client's position in the client system. The client took a risk in identifying himself with a new project. The consultant can assist his client's credibility in the organisation by emphasising the achievements of the intervention and the client's contribution to the project. By so doing, the continued development of the project is more likely after the consultant's departure.

3. Ensure that the door is always open for further work in the client system. Another reason for emphasising the client and the project in the client organisation is that the consultant could be further utilised in the future. If the consultant is seen as having performed effectively in terms of both task expertise and also as having 'fitted-in' to the client system, he becomes a valuable asset to the organisation. He holds credibility.

HIRE FOR INNOVATION: REWARD FOR LOYALTY

Once the visionaries know where they are going; once they have identified clear strategies; once they are aware of the pitfalls and appreciate how to subdivide strategies into tactics; it is time to hire others to make it all work. Other visionaries are needed for their intuition, insight, and flair. Administrators are required for their capacity to manage the paperwork and the details. Human relations specialisits are required for their people/motivating skills.

On being hired, all will be fed the same story—"We are embarking into a new era of the organisation's development. Bright, talented, energetic people are required. Your particular contribution will be both unique and highly valued. It is not going to be easy, but I pay well those people who get results.

"Not quite! That is what you are told when hired. You may be hired for your talents; you are paid for your loyalty."

The greater the degree of change, the more important it becomes to consider values, culture, future organisational identity as well as application of particular techniques and systems. Through manoeuvre, energy and utter force, the visionaries may have their particular views accepted as the strategy to pursue. However, thinking about values and the future are not their prerogative. Most people have thought about such issues at some point in their lives. Sooner or later, others will question the values under which they operate. Those that accept the values under which they operate will be rewarded, the rest removed.

Illustration

Clash of the Titans

A well-known professor of management at a world famous Business School had recently been appointed to develop a new department.   He set about the task energetically, winning research contracts with outside organisations to pay for the salaries of the new staff he was hiring in his department.   One appointee in particular came from a different back-ground to the others—he had little academic experience.

This particular individual quickly established a reputation as a highly competent business teacher and consultant.   Within a year of his appointment, the relationship between himself and the professor deterio-rated.   The individual wished to develop his role as a consultant; the professor stated he wanted more research output for publications.   The individual wished for more time away from the business school on in-company projects; the professor wanted a fair share out of the tiresome tasks of course tutorships and teaching on standard management programmes—essential bread and butter revenue for the group.

As the relationship between the professor and the individual worsened, relationship between the individual and his colleagues deteriorated. They resented his attitude and his unwillingness to take on those tedious duties which no one wanted but all had to do.   Within three years, the individual left.

The person concerned wished to develop new and innovative activities in one particular field.   The professor agreed as long as other duties were not excluded.   The professor rightly identified himself with the overall values of the business school and its approaches to work.   The indivi-dual could not identify with those values.   He wished to establish his own for himself whilst at the business school.

The moral of the story applies to any person—you cannot be treated fundamentally differently from others, unless you are very, very important.

DEVELOPING MANAGEMENT DEVELOPMENT

An effective means of influencing people's behaviour and attitudes is to provide them with appropriate training experiences. Following two objec-tives can be achieved by management development training : (1) Improve the skills of people in the use of particular techniques, and (2) Change or alter the attitudes, values and general behaviour of people towards their work, their colleagues, superiors, subordinates, and towards the total organisation.

A number of different training approaches exist.   New developments in computer-assisted learning systems will eventually do away with lecturers,

and case-studies.   Managers in charge of their own training and development by sitting in front of a computer terminal is more than likely to become the norm in very near future.   However, the case approach will be difficult to dislodge for it has stood the test of time.   By analysing cases, managers have been able to understand how to handle different sorts of problems in different sorts of organisations.

Equally successful have been the multi-disciplinary management training programmes of a few weeks' duration.   Managers are trained in the basic disciplines of management and given the opportunity on their training programmes to discuss how to use the information they have learnt back at work.

A new innovation, pioneered by the marketing group at Cranfield School of Management, has been the concept of distance teaching.   Instead of the professional business teacher, placing himself on a pedestal as the expert, the Cranfield group have developed a sophisticated and flexible set of marketing teaching packages to be used by the in-company trainer to meet his various needs.   What the marketing group do is, "train the in-company trainer on the many and varied ways of using the distance teaching package. The assumption behind such a concept is that although the marketing group may be experts in marketing, they are not experts on the particular problems the company is facing.   The managers in the company are their own experts on their own company.   What better way of developing managers than getting them to solve their own problems but from a good knowledge base.

Equally useful has been the development of the more specialised behavioural training programmes, providing a training opportunity for developing negotiating skills, interviewing skills and communication/presentation type skills.   On such programmes, the use of CCTV (closed circuit television) has played an important role and will continue to do so throughout the 1980's.   Managers want to learn how to perform better and the television gives them powerful feedback on their performance.

The real question is, how can these different techniques and approaches be utilised to help solve particular problems in organisations?

Illustration

Making Bankers Managers[2]

A colleague and I were approached by a major international bank, stating that they had a problem with their domestic branch managers. Basically, the branch managers sat in their offices and did not go out searching for business in their local community.   Rival banks were more

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[2]*See* C. Margerison and A. P. Kakabadse, "Making Bankers Managers", *Management Forum*, Vol. 7, No. 3, pp. 207-11.

proactive. This particular bank considered it was losing money in its domestic banking division due to lack of drive and flair on the part of their branch managers. What to do?

We recommended that instead of attempting to implement a standard management and inter-personal skills programme, why not find out what the managers themselves would want? We decided to organise a series of workshops and invite all interested parties—branch managers and more senior managers—to come together and identify and analyse their work situation.

Three crucial problems were identified: (*a*) The ability to manage relationships—branch managers were considered insufficiently skilled at managing individuals customers, social groups and staff; (*b*) The ability to adapt to new job requirements—branch managers had never been trained as managers but as technical banking specialists. Becoming a manager was considered a traumatic experience; and (*c*) Ability to manage superiors—branch managers were considered naive in terms of organisational politics and too subservient towards their superiors. Managing your boss was considered as important as managing your staff.

Their findings and appropriate training recommendations were put to the main board. They accepted all recommendations.

Now the bank is running its own particular management training programme, just to suit its own needs. It has also turned out to be a cheaper exercise than using outside consultants to implement their own package.

Developing management development involves knowing how to be sensitive to each organisation's needs and at the same time, using the standard range of management training techniques.

<div align="center">OPPOSITION: SIDESTEP OR CRUSH ?</div>

Change brings with it opposition to change.

Small Changes

If the changes introduced concentrate more on the application of certain new techniques or systems, the opposition may identify flaws in the new techniques or just generally disapprove of the new system. Either way, the problem is not too serious. People need time to adjust to new systems and techniques as they require to unlearn some old skills and re-learn new ones.

Training the necessary personnel in the skills required to make the new system work, is an obvious step to overcome opposition. Supervisors, for example, would benefit from workshop type training concentrating on

making them aware of the particular problems individuals face in the transition between forgetting an old skill and developing expertise in a new one.

Larger Changes

Managing more major changes is a somewhat different experience to just introducing new techniques or systems. Those at the receiving end of change may or may not have to learn new skills, but that is of minor importance, for the basic concern is that life itself is different and that is unwelcome. The degree of opposition to change and the problems that senior management will encounter during the period of transition, depends greatly on the culture of the organisation.

If the organisation was founded, developed and firmly controlled by one energetic entrepreneur, the organisation will face problems on his removal, retirement or death. Pressure will be applied by the 'old hands' in the organisation to keep things as they have always been. Even the successor should not in any way tarnish, threaten or change the image of the founder.

Where no single dominant figure exists, change of top leadership is easier. Senior management will search for a new leader, who will satisfy their wishes. Having appointed a leader, implementing reform will then become more difficult. If senior management approve of the leader's reforms, then policies for change will be acted out but according to each senior manager's distinctive style in his own area of control. However, as most of the reform measures aim at disrupting vested interests as opposed to embracing them, it is likely that most of the reform measures will push the senior managers into opposition.

Illustration

Machiavelli in a Chemical Company (Part I)

The Managing Director of a subsidiary company of a multinational chemical company approached a group of academic consultants stating that his company was to grow rapidly over the next few years but that he did not have the managers capable of managing and maintaining that growth. What should he do?

The consultants recommended that they hold exploratory discussions with a select number of senior and middle managers in the company. The Managing Director approved. After the discussions, the consultants recommended a complete management audit, including an organisational climate study, which again the Managing Director approved. The results of the audit were interesting.

Middle managers were identified as well qualified, technically competent, holding a wide experience of work in other functions, and companies, but extremely dissatisfied with senior management.

Senior management were identified as moderately qualified, authorita-

rian; suspicious of middle managers' motives and having little faith in their abilities despite many years' experience in their present position. The Deputy Managing Director was identified as overworked largely because all communications from senior management to the Managing Director had to go through him and further, all decisions made by senior management had to have the Deputy Managing Director's approval.

The Managing Director was identified as knowing only what his deputy wished him to see.

It was quickly realised by the Managing Director and the more progressive senior managers, that the company employed all the talent it required. The immediate problem was to motivate and train the more able middle managers so as to promote them to senior management positions. Together with the consultants, the Managing Director adopted the following strategy:

—Establish a selection centre in order to identify the more able middle managers;
—Create appropriate training programmes, such as understanding motivation, leadership and supervisory skills, decision-making skills, etc.;
—Place more able middle managers into a temporary senior management position to develop their experience;
—Identify the more vulnerable and less powerful senior managers and remove them from their position through early retirement, voluntary redundancy and transfer to another subsidiary company;
—Push the Deputy Managing Director out of the organisation and into another subsidiary company; and
—Appoint able middle managers to new or vacant senior management positions.

A year later, the Managing Director himself was promoted as group chairman. He was asked what he learnt from his recent experience of managing planned change. He replied that opposition is inevitable. The secret is to sidestep the stronger but subdue them by crushing the weaker.

TO STAY OR NOT TO STAY

For the visionaries, who initiate major changes in organisation; and for those that support and further develop the changes, there exist two major considerations: (1) Will we successfully apply our ideas and competently manage change? (2) Will we survive? If change is unsuccessfully managed, there is little chance of survival.

If change is successfully seen through, even then, survival is not guaranteed. The majority in the organisation may well recognise the value of why change is being introduced and thereby support the new policies. If the

change agents are seen to conduct themselves improperly and disrupt vested interests too quickly, the new policies may stay but the change agents themselves may be changed. Even if change is successfully accomplished, the question remains as to whether the existing champions of change should stay or make way for new blood.

New blood will pursue a policy of consolidation. Change cannot be pursued for ever. People need a period of calm to capitalise on their new investments. For senior executives, wishing to develop from strength to strength, when to stay and when to leave are important issues.

Illustration

Machiavelli in a Chemical Company (Part II) vs The Narrow Minded Professor

The Managing Director in the earlier case (see p. 172 under heading 'opposition: sidestep or crush ?') was considered by his colleagues on the main-board as somewhat dull and unimaginative but competent, hardworking and loyal. Many expressed doubts that he could manage the proposed expansion of the subsidiary company.

Opinions changed when the main-board directors witnessed successful growth, the removal of poor senior management, the development of competent middle management and the application of internal job-related training programmes run by consultants at minimal cost. The Managing Director recognised that he had a chance to leave the company with high credibility and be offered a main-board directorship. Some of the younger main-board members also saw this as an opportunity to remove their current chairman and replace him with the Managing Director knowing that he only had two or three years to retirement. Without too much difficulty the Managing Director became chairman of the group.

In contrast, a business school professor had established over the years, a reputation as an original thinker. He published extensively in academic journals. The then director of the business school retired and without much hesitation, the professor in question was offered the vacant position in recognition of his unique contribution to management theory.

The professor rejected the offer, stating that he was too involved with his research to be disturbed by administration. Someone else took the post.

Within a few years, the situation had changed. The recession had hit Britain, research money was difficult to acquire and government and industry were pressuring the universities to deal with the practical rather than the academic.

Currently, the professor holds little credibility with his colleagues

and managers attending management courses. He is considered a poor teacher, too theoretical, too difficult to understand, develops poor rapport with people and writes about issues that are considered to be of no concern.

The professor mentioned above is still confused by the developments around him. Despite the advice and counselling of close colleagues, he has still to learn that change means you go with it or be positive in doing something different.

CONCLUSION

Well conducted change is a highly political process. It involves influencing others to your view, adjusting your position to accommodate, as far as possible, the views of others, so that all progress from one step to the next.

For these reasons, it is essential that change agents, whether they hold a line management or third-party role, are clear as to the necessary steps to take to stimulate changes in the organisation. The purpose of this article has been to identify those steps and to explore what is required in terms of effort and action at each particular step.   ☐

Weber's Ideal Type of Bureaucracy

Mustafa Chowdhury

M AX WEBER'S 'ideal type' construct of bureaucracy, depicting struc-
ture of bureaucratic system of administration, has been the single most
important conceptual framework in the study of administration. This ideal
type of bureaucracy was formulated in the context of Weber's discussion of
the bases of legitimate authority. Before delving into the bases of authority,
it is necessary to point out how Weber distinguished power from authority.

Weber defined power as "the probability that one actor within a social
relationship will be in a position to carry out his own will despite resist-
ance"[1]. Authority, on the other hand, is "the probability that a command
with a given specific content will be obeyed by a given group of persons".[2]
Thus, power is a situation where an individual can compel another person to
do certain things against his will. Authority is a situation where a person
willingly complies with legitimate commands or orders because he considers
that a person occupying a superior position has a right to direct him.

Weber classified authority on the basis of its claim to legitimacy. His
three pure types of authority are based respectively on three bases of legi-
timacy. They are: traditional authority, charismatic authority, and legal-
rational authority. Traditional authority rests on "an established belief in
the sanctity of immemorial traditions and the legitimacy of the status of those
exercising authority under them".[3] The legitimacy of the ruler's authority
rests in traditional norms. In the pure type of traditional authority, the
following features of a bureaucratic administrative staff are absent: (a)
clearly defined sphere of competence, subject to impersonal rules; (b) a
rational ordering of relations of superiority and inferiority; (c) a regular
system of appointment and promotion on the basis of free contract; (d)
technical training as a regular requirement, and (e) fixed salaries paid in
money.[4]

Charismatic authority rests on the devotion of the followers to the leader,
devotion given because of the leader's 'gift of grace'. No specific proce-

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[1]Max Weber, *The Theory of Social and Economic Organisation*, edited with an intro-
duction by Talcott Parsons, New York, The Free Press, 1947, p. 152. Hereafter cited
as Theory.

[2]*Ibid.*, p. 152.
[3]*Ibid.*, p. 328.
[4]*Ibid.*, p. 343.

dure is followed in conducting the administration.   As Max Weber notes:

> In contrast to any kind of bureaucratic organisation of offices, the charismatic structure knows nothing of a form or of an ordered procedure of appointment or dismissal. It knows no regulated 'career', 'advancement', 'salary', or regulated and expert training of the holder of charisma or of his aids.   It knows no agency of control or appeal. no local bailiwicks or exclusive functional jurisdictions; nor does it embrace permanent institutions like our bureaucratic 'department', which are independent of persons and of purely personal charisma.[5]

Therefore, the administration of a charismatic system is shaped in the main by the authority of individual leaders.   The administration, which is typically embryonic, follows the leaders and thereby enjoys their favour. If the followers perceive a decline in the charismatic qualities of the leader, they might desert him, thus causing the breakdown of the system.

Weber argues that charismatic authority can be routinised in either an authoritarian or a non-authoritarian direction.   Various forms of routinised charisma may produce different types of administrative staffs. The members of the staff usually take initiative in routinising charisma; they develop recruitment procedures and set up ordered methods of pay, etc. Therefore, with routinisation, charismatic authority loses much of its ideal-typical character, developing some distinctively legal-rational characteristics in the process.

Rational legal authority rests on "a belief in the legality of patterns of normative rules and the right of those elevated to authority under such rules to issue command (legal authority)".[6]   The ruled are obliged to obey official's only insofar as they are acting in accordance with duly enacted laws. In the case of legal authority, obedience is owed to the legally established impersonal order.   The fundamental characteristics of bureaucracy are set out by Weber in the following words:

1. A continuous organisation of official functions bound by rules.
2. A specified sphere of competence.   This involves : (a) a sphere of obligations to perform functions which has been marked off as part of a systematic division of labour; (b) the provision of the incumbent with the necessary authority to carry out these functions; and (c) that the necessary means of compulsion are defined and their use is subject to definite conditions...
3. The organisation of offices follows the principle of hierarchy; that is,

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[5]H. H. Gerth and C. Wright Mills, (trans. and ed.), *I rom Max Weber: Essays in Sociology*, Oxford University Press, 1946, p. 246
[6]*Theory*, p. 328.

each lower office is under the control and supervision of a higher one . . .

4. The rules which regulate the conduct of an office may be technical rules or norms . . .
5. . . .the administrative staff should be completely separated from ownership of the means of production or administration . . .
6. Administrative acts, decisions, and rules are formulated and recorded in writing, even in cases where oral discussion is the rule or is even mandatory.
7. The office is filled by a free contractual relationship . . .
8. Candidates are selected on the basis of technical qualifications . . . They are appointed, not elected.
9 They are remunerated by fixed salaries in money, for the most part with a right to pensions.
10. The office is treated as the sole, or at least the primary, occupation of the incumbent.
11 It constitutes a career. There is a system of 'promotion' according to seniority or to achievement, or both Promotion is dependent on the judgement of superiors.
12. The official is subject to strict and systematic discipline and control in the conduct of the office.[7]

The main reason for the advance of bureaucratic organisation has been purely technical superiority over any other form of organisation. As Weber maintains:

> The fully developed bureaucratic mechanism compares with other organisations exactly as does the machine with the non-mechanical modes of production. Precision, speed, unambiguity, knowledge of the files, continuity, discretion, unity, strict subordination, reduction of friction and of material and personal costs—these are raised to the optimum point in the strictly bureaucratic administration, and especially in its monocratic form. . . . Its specific nature develops more perfectly, the more the bureaucracy is 'dehumanised', the more completely it succeeds in eliminating from official business, loves, hatred and all purely personal, irrational, and emotional elements which escape calculation.[8]

Weber thought that the adoption of various concepts of organisation would introduce rational decision-making, efficiency, and predictability into administration. As Peter Blau and Richard Scott maintain, Weber believed, "Bureaucracy is the most efficient form of administration organisation,

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[7]*Theory*, pp. 329-334.
[8]Gerth and Mills, *op. cit*, pp. 215-216.

because experts with much experience are best qualified to make technically correct decisions, and because disciplined performance governed by abstract rules and coordinated by the authority hierarchy fosters a rational and consistent pursuit of organisational goals." Weber himself observed. "the purely bureaucratic type of administrative organisation . . . is capable of attaining the highest degree of efficiency and is in this sense formally the most rational known means of carrying out imperative control over human beings."[9]

Bureaucratisation offers the optimum possibility for discharging functions objectively. This means a discharge of business according to 'calculable rules' and without regard for persons.

THE CRITICISMS OF WEBER'S BUREAUCRACY

Criticisms of Weber's bureaucracy are of two types, which while interrelated, may be distinguished for analytical purposes. The first type of criticism is based on the ground that the ideal type bureaucracy ignores the informal, irrational, effective, and dysfunctional aspects of the bureaucratic behaviour. Recent empirical studies have shown that informal relations, and unofficial practices develop among the members of the organisation, and these are highly significant in achieving the objectives of the organisation. People in organisations are not one-dimensional officials discharging their functions in complete accordance with the rules and official procedures, but whole individuals. Those who work in the organisation try to influence the organisational environment by developing their leaders, communication networks, work methods and norms. These informal relations help in the achievement of organisational goals and may so modify the organisational goals that the final result is "the formalisation of erstwhile informal activities, with the cycle of deviation and transformation beginning again on the new level."[10] Chester I. Barnard also held that those informal organisations are necessary to the operations of formal organisations.[11] F. J. Roothlisberger and William J. Dickson also maintain that informal organisation appears at all levels of organisation and may either facilitate or impede "purposive cooperation and communication". Without them, formal organisation could not survive for long. Formal and informal organisations are essential to the functioning and survival of organisations.[12]

[9]Peter M. Blau and W. Richard Scott, *Formal Organisations: A Comparative Approach* San Francisco, Chandler, 1962, p. 33.

[10]Philip Selznick, "Foundations of the Theory of Organisation" ,in Amitai Etzioni (ed.), *Complex Organisations*, New York, Holt, Rinehart, Winston, 1961, p. 23.

[11]*See* Chester I. Barnard, *The Functions of the Executive.*

[12]F. J. Roothlisberger and William J. Dickson, "The Importance of Informal Organisation", in D. C. Rowat (ed.), *Basic Issues in Public Administration*, New York, The Macmillan Company, 1961, p. 110.

Merton is the most important among the dysfunctionalist critics. Merton blames Weber for ignoring the dysfunctional aspects of bureaucracy. ". . .the positive attainments and functions of bureaucratic organisations are emphasised and the internal stresses and strains of such structures are almost wholly neglected."[13] He also points out the fact that "the very elements which conduce toward efficiency in general produce inefficiency in specific instances" and "also lead to an over-concern with strict adherence to regulations which induces timidity, conservatism, and technicism".[14] Similarly, Morstein Marx views that the bureaucratic type of organisation gives rise to certain tendencies that pervert its purpose.   Some of its strength—and in extreme cases all of it— is drained off constantly by vices that paradoxically spring from virtues."[15]

Michel Crozier's study, *The Bureaucratic Phenomenon*, is mainly concerned with the maladaptations, the inadequacies, or to use Merton's expression, the dysfunctions, which necessarily develop within human organisation.[16]

The second type of criticism is based on the ground that the very characteristics of bureaucracy may not contribute to organisational efficiency. Many of the structural characteristics of bureaucracy are inconsistent. His model does not account for potential conflict between the requirement that officials be appointed on the basis of merit and the rule that superiors be obeyed on the basis of their incumbency of an office.

Since empirical studies have shown that the various elements of Weber's bureaucracy can be dysfunctional, and that informal organisations promote efficiency, organisational theorists opine that the misleading concept of the ideal type be discarded.

We will now consider the extent to which the various criticisms levelled against Weber are valid.   The first dimension of criticism that Weber neglected the informal and dysfunctional aspects of bureaucracy is not valid. Critics did not understand the method used by Weber in constructing the ideal type. Weber explains: "an ideal type is formed by the one-sided accentuation of one or more points of view and by the synthesis of a great many diffuse, discrete, more or less present and occasionally absent concrete individual phenomenon, which are arranged according to those one-sidedly emphasised viewpoints, into a unified analytical construct. In its concep-

[13]R. K. Merton, *Social Theory and Social Structure*, New York, Free Press, 1968, p. 197.

[14]*Ibid.*, pp. 199-200.

[15]F. Morstein Marx, *The Administrative State*, Chicago, University of Chicago Press 1957, pp. 25-28.

[16]Michel Crozier, *The Bureaucratic Phenomenon*, Chicago, University of Chicago Press, 1964, pp. 4-5.

tual purity, this mental construct cannot be found empirically anywhere in reality."[17]

Since Weber has formulated an ideal type bureaucracy, he is not obliged to point out the informal and dysfunctional aspects of bureaucracy.

Sociological and administrative literature of the last two decades is full of critical appreciation of this methodology of the ideal type. For example, Carl Friedrich has observed:

> Weber...sets forth his ideal-types as mental constructs which are neither derived by a process of deductive ratiocination from higher concepts, nor built up from empirical data by relevant inference, nor demonstrably developed as working hypotheses from such data.[18]

The second type of criticism that there exists a strong relationship between the bureaucratic characteristics and organisational inefficiency, overlooks the condition under which Weber built his ideal type. When Weber was writing, large scale technology was not highly developed in Germany, and the then existing level of specialisation did not seem to be a threat to the hierarchical arrangements within administrative organisations.

Weber himself observed that the ideal-type of bureaucracy is not to be mistaken for a description of something existing in empirical reality, and that the ideal-type is designed to help further research. Critics generally overlook the fact that Weber also recognised the possible conflicts that might arise as a result of the interactions among different structural parts of bureaucracy. Weber remarked: "A very strong development of the 'right to office' naturally makes it more difficult to staff them with regard to technical efficiency, for such a development decreases the career-opportunities of ambitious candidates for office."[19]

The limitation in Weberian analysis, therefore, should be viewed in the context of the time and circumstances under which Weber wrote.

Whatever may be the criticisms against Weber, his ideal-type bureaucracy has been, and is, the single most dominant conceptual framework in the study of public administration. The model possesses "the attractiveness of broadness" and advantage of relative simplicity. It also provides us an opportunity to formulate tentative hypothesis concerning the content of public administration. Weber's analysis of authority "constitutes the most highly developed and broadly applicable conceptual scheme in any comparable field which is available, not only in the specifically sociological

[17]Max Weber, *The Methodology of the Social Sciences*, Edward A. Shils and Henry A. Finch (trans.), Glencoe, Free Press (Ill.), 1947, p. 90.

[18]Carl Friedrich, "Some Observations on Weber's Analysis of Bureaucracy", in Robert K. Merton (eds.), *Reader in Bureaucracy*, New York, Free Press, 1952, p. 28.

[19]Max Weber, *Essays in Sociology*, translated and edited with an introduction by H. H. Gerth and C. Wright Mills, New York, Oxford University Press, 1946, p. 203.

literature but in that of social science as a whole".[20]

Max Weber's pioneering analysis of the principles of bureaucracy is perhaps the most important general statement on formal organisations. It has had a tremendous influence on almost all subsequent thinking and research. M. P. Barber observes: "Weber's pioneering analysis of bureaucracy has stimulated much further analysis and research, and these studies make it possible critically to review and bring about some modifications which will give bureaucracy dynamic aspect and enable an organisation to serve the needs it was created to serve."[21]

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[20]Talcott Parsons "Introduction," in *Theory*, p. 77.
[21]M. P. Barber, *Public Administration*, London, MacDonald and Evans Ltd., 1974, p 96.

Composition and Structure of Services in Bangladesh

Syed Giasuddin Ahmed

SEVERAL OFFICIAL attempts were made after liberation to ascertain the magnitude of total public employment in Bangladesh. The National Pay Commission (1972) released a table in May 1973 showing a grand total of 650,615 public employees working under the Government of Bangladesh in 1972. But this figure included 48,000 armed personnel and as many as 205,778 employees who were previously not considered as civil servants since their salaries and allowances were not paid from the annual civil budgets. A bulk of the latter group of employees worked for banks, insurance companies and industrial enterprises nationalised immediately after liberation. These 650,615 officials and employees were shown in ten grades of service matching ten comparable national scales of pay, ranging from the lowest Taka 130 to highest Taka 2000 as recommended by the National Pay Commission (1972).[1] See Table 1 for details about gradewise distribution of the 650,615 officials and employees.

In 1972, the Establishment Division of the Government of Bangladesh also conducted a survey to determine the total number of civilians working in the government offices (including Central Secretariat), autonomous and semi autonomous bodies. Total civilian public employment was concluded to be about 454,450 as shown in Table 2. The table also breaks down the figures according to class divisions (I, II, III, IV) that had existed in Pakistan and shows that the total number of class I officials was about 11,130, including about 5000 officials who belonged to various autonomous and semi-autonomous bodies. This total of class I officials included 180 members of the erstwhile Civil Service of Pakistan (CSP) and about 724 members of the former East Pakistan Civil Service or EPCS (Executive).[2] The bulk of government employees belonged to class III and class IV services. The total number of civilians in government offices, including the attached depart-

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[1] See Bangladesh, *Report of the National Pay Commission* (hereinafter cited as Report of the NPC) Vol. 1, (Main Text), Dacca, Bangladesh Government Press (BGP), 1973, pp. 88, 192.

[2] See Bangladesh, Establishment Division, *Gradation List of the ex-Civil Service of Pakistan*, Dacca, BGP, 1976; Bangladesh, *Report of the Administrative and Services Reorganisation Committee* (hereinafter cited as Report of the ASRC), Part IV, *The Evidence*, Dacca, 1975, p. 270.

TABLE 1 NUMBER OF OFFICERS AND STAFF WORKING UNDER THE GOVERNMENT OF BANGLADESH (1972)

	I	II	III	IV	V	VI	VII	VIII	IX	X	Total
1. Ministries	70	329	1,084	1,239	8,593	11,386	32,052	1,72,399	1,05,260	64,425	3,96,837
2. Defence Ministry*											48,000
3. Railways	1	8	24	65	128	333	2,755	14,280	19,261	20,471	57,326
4. Autonomous Bodies	37	48	215	1,237	1,422	3,079	8,638	28,824	18,043	19,544	81,087
5. Banks	4	17	75	112	1,185	1,704	2,415	7,233	1,151	3,868	17,764
6. Insurance		4	19	55	126	235	660	497	66	275	1,937
7. Financial Institution	2	4	12	45	131	314	402	1,644	352	501	3,407
8. Nationalised Industrial Enterprises	3	27	58	260	902	1,097	6,602	14,583	3,806	8,842	36,180
TOTAL	117	437	1,487	3,013	12,487	18,148	53,524	2,39,460	1,47,939	1,17,926	6,42,538
9. Autonomous Bodies under the Ministry of Education and Cultural Affairs	6	103	259	648	657	209	773	1,560	509	3,353	8,077
GRAND TOTAL	123	540	1,746	3,661	13,144	18,357	54,297	2,41,020	1,48,448	1,21,279	6,50,615

*Gradewise break-up of armed forces not shown.

SOURCE : *Report of the National Pay Commission*, Vol. I (Main Text), Dacca, Bangladesh Government Press, 1973, p 192, Annexure V.

TABLE 2   ESTIMATED NUMBER OF CIVILIAN EMPLOYEES IN GOVERNMENT
OFFICES, AUTONOMOUS AND SEMI AUTONOMOUS BODIES
(AS ON DECEMBER 1971)

	Government offices	Autonomous and semi-autonomous bodies	Total	Percentage
Class I	6,130	5,000	11,130	2.4
Class II	6,320	6,000	12,320	2.6
Class III	173,000	72,500	245,500	54.0
Class IV	105,400	80,100	185,500	41.0
TOTAL			454,450	100.0

SOURCE : Bangladesh, Establishment Division, *Statistics on Civil Employees of the Government of Bangladesh*, Dacca, 1972, p. 2.

ments and subordinate offices, was 290,850 as compared with 163,600 in the autonomous and semiautonomous bodies.[3]

By February 1977, the total number of civilians in the ministries and divisions, including their attached departments and subordinate offices, rose to 470,540. This was about 31,842 less than the sanctioned strength of 502,382 (see Table 3) and about 0.6 per cent of the total population (78.7 million)

TABLE 3   CIVIL EMPLOYEES OF THE GOVERNMENT OF BANGLADESH
(AS ON FEBRUARY 1977)

	Sanctioned strength	Position on 1.2.77
Gazetted class I :	20,393	17,621
class II :	10,639	9,331
	31,032	26,952
Non-gazetted class III :	3,89,100	3,66,952
class IV :	82,250	76,636
	4,71,350	4,43,588
TOTAL OF ALL CATEGORIES :	5,02,382	4,70,540

SOURCE : Bangladesh, Establishment Division (Cabinet Secretariat), *Statistics on Civil Employees of the Government of Bangladesh*, Dacca, 1977, p. 1.

[3]The main reason for the small size of the civilian employees in government offices was that a large number of Bengali employees of the central government was stranded in West Pakistan until the middle of 1973.

of Bangladesh in 1976.[4] According to another survey conducted in 1981, the total number of civilian employees in Bangladesh was estimated at 599,278, almost 0.7 per cent of the total population(89 million) of Bangladesh in that year.[5]

In February 1977, the number of class I civilian officials was 17,621 compared with a sanctioned strength of 20,393 (see Table 3). This number (17,621) included about 13,098 officials who belonged to the various former cadre services under both central and provincial governments.[6] Presumably the residual 4,523 officials (17,621 — 13,098 = 4,523) were those who held class I civil posts but did not belong to any of the regularly constituted services. After allowing for a 3 per cent annual growth over this figure (17,621) from 1977 to 1981, one might estimate the size of Bangladesh's higher civil employment as around 19,000 in 1981, which would constitute 3 per cent of the total bureaucratic population (599,278) of Bangladesh in that year.[7]

<div align="center">STRUCTURE</div>

Bangladesh inherited civil servants belonging to both the former Central and Provincial Services. They were all grouped into four class divisions, *i.e.,* I ,II, III, IV. The class I Central Services were divided into two broad categories, *viz.,* All-Pakistan and Central Superior Services. The Central and Provincial Class I Services (including part of Class II Services) were once again divided into cadre and non-cadre services. Cadre services were those which were constituted under law with a number of positions, a distinct hierarchy, and well-defined functions for each step in the hierarchy. Recruitments to the cadre services were normally made through the public service commissions on the basis of open competitive examinations and/or interviews. On the other hand, non-cadre services were mostly based on posi-

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[4]*Cf.* Bangladesh Bureau of Statistics, *Statistical Pocket Book of Bangladesh*, Dacca, 1978, p. 11.

[5]This figure of 599,278 public employees in Bangladesh was reported in Parliament by the Establishment Minister on June 29, 1981 (see *Ittefaq*, July 1, 1981). This press report did not give classwise or gradewise breakdown of the employees. But an earlier press report disclosed 48,248 class IV employees (peons and orderlies) who were employed in the secretariat (see *The Bangladesh Times*, June 28, 1981). Eightynine million population of Bangladesh was reported in *The Bangladesh Times* (April 28, 1981) on completion of the 1981 Population Census.

[6]The figure of 13,098 officials who belonged to various cadre services was obtained from the Establishment Division of the Government of Bangladesh.

[7]One must allow 5 per cent chance error in all these total, classwise or categorywise estimates of public employees made at different times in Bangladesh. The allowance of 3 per cent annual growth rate is based on the trend of the growth of bureaucratic population in United Pakistan; see Syed Giasuddin Ahmed, "Organization for Personnel Administration in Bangladesh", Ph.D. thesis submitted in March 1983 in the Department of Government, University of Queensland (Australia), pp. 48-50.

tions with no definite structure of mobility either horizontally or vertically. Members of the cadre services could move from one department to another, whereas the non-cadre personnel had to serve in the particular department to which they were originally recruited.[8]

The services and civil posts in both central and provincial governments were divided into four classes (*i.e.*, I, II, III, IV) cut across by horizontal lines. These divisions were made on the basis of levels of responsibility, nature of work (*e.g.*, administrative, executive, clerical and messengerial), method of recruitment, etc. All government employees were also broadly divided into 'gazetted' and 'non-gazetted' categories. All class I and some class II employees were treated as gazetted since their appointment, posting, transfer, promotion, retirement were to be notified in the official gazettes.[9]

The Provincial Services

Former East Pakistan, now constituting the sovereign state of Bangladesh, had as many as 24 regularly constituted services (see Table 4). The structure of these services was almost identical with that of the Central Services in United Pakistan, although in terms of conditions of service they were considered inferior to the latter.

In short, there were several characteristic features of the Provincial Services. First, like the Central Services, the Provincial Services were also divided into three main types, namely, generalist-administrative services (EPCS and East Pakistan Secretariat Service or EPSS), specialist services (*e.g.*, health, agricultural, engineering services), and functionalist services (*e.g.*, police and excise services). Second, the classification of services followed the same pattern of four divisions, namely, class I, class II, class III, and class IV. There was limited scope for advancement from class III to class II and from class II to class I in some services, but practically no scope for advancement from class IV to class III, even if class IV employees possessed requisite qualifications. Third, many of the Provincial Services were subdivided into class I and class II, or higher and junior, or upper and lower. Fourth, the pay scales of the Provincial Services were in general lower than what had been provided for similar services under the central government in United Pakistan. Besides, the existence of many pay scales for employees in the provincial government seemed incommensurable with a rational pay structure. Fifth, officers of the Provincial Police Service, who were appointed substantively to superior posts in the PSP cadre, automatically became members of the Police Service of Pakistan (PSP), whereas the

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[8]K.A. Zaman, "The Civil Service System in Bangladesh", in A. Raksasataya and H. Siedentopf (eds.), *Asian Civil Services*, Kuala Lumpur, Asian and Pacific Development Administration Centre (APDAC), 1980, p. 18.

[9]For further details about the Central Services in United Pakistan, see S. G. Ahmed, "Organisation for Personnel Administration in Bangladesh", *op. cit.*, pp. 50-58.

TABLE 4 PROVINCIAL SERVICES

Sl. No.	Services
1.	East Pakistan Civil Service (EPCS), Class I
2.	East Pakistan Civil Service, Class II
3.	East Pakistan Civil Service (Judicial)
4.	East Pakistan Police Service
5.	East Pakistan Junior Police Service
6.	East Pakistan Senior Education Service
7.	East Pakistan Junior Education Service
8.	Railway Service of Engineers
9.	Railway Commercial, Transportation, and Traffic Service
10.	East Pakistan Excise Service
11.	East Pakistan Health Service (Upper)
12.	East Pakistan Health Service (Lower)
13.	East Pakistan Senior Engineering Service
14.	East Pakistan Engineering Service
15.	East Pakistan Agriculture Service
16.	East Pakistan Higher Livestock Service
17.	East Pakistan Livestock Service
18.	East Pakistan Higher Fisheries Service
19.	East Pakistan Fisheries Service
20.	East Pakistan Senior Forest Service
21.	East Pakistan Junior Forest Service
22.	East Pakistan Food Administration Service
23.	East Pakistan Secretariat Service
24.	East Pakistan Taxation Service

SOURCE : Bangladesh, Cabinet Division, *Report of the Pay and Services Commission*, Part I—*The Services*, Vol. 1, Dacca, 1977, p. 37.

EPCS officers, who were appointed to the 'listed posts'[10] in the CSP cadre, were never granted formal membership in the Civil Service of Pakistan.[11]

A Review

The fortuitous addition of the Central Services made the structural organisation of the public bureaucracy in Bangladesh highly complex. More-

[10]The system of 'listed posts' in fact originated before partition of 1947. A provision was made then that certain posts, such as the charge of a district or a post of district and sessions judge, which were normally held by the members of the ICS, would be reserved for the selected members of the provincial services. *Cf. Report of the Indian Statutory Commission*, Cmd. 3568, 1930, Vol. 1, p. 265.

[11]For further details about the Provincial Services, see Bangladesh, Cabinet Division, *Report of the Pay and Services Commission* (hereinafter cited as *Report of the Rashid Commission* after the name of the Commission's Chairman. A. Rashid), Part I—*The Services*, Vol. III, 1977, pp. 169-173.

over, the changed socio-political environment after liberation was not at all favourable for the continued dominant position of the civil servants.   In fact they were not held in high esteem in former East Pakistan because of their close identification with the military regime in Pakistan.[12]   Another notable aspect of the post-liberation service problem was jealously and rivalry between members of the EPCS and members of the CSP.   EPCS officers, numbering 724 at liberation, argued that with the emergence of Bangladesh as a sovereign state the EPCS should automatically be made the only generalist-administrative cadre of the civil service of Bangladesh, and that the Bengali members of the former CSP should be regarded as displaced, requiring fresh placement within the new administrative structure of Bangladesh.   In particular, they demanded that the status and *inter se* seniority in any new amalgamated cadre of the two services (*i.e.*, CSP and EPCS) should be determined on the basis of length of service only.[13]

Members of the administrative services (CSP and EPCS) had been dominant in the overall administrative structure in both central and provincial governments in the past and this created a deep-rooted discontent among members of the functionalist and specialist services, which were gradually expanding in number and scope in view of the increased development activities. Specifically, functionalists and specialists criticised the rigidity of services and demanded that they be able to move easily from functional areas to administrative positions.   They also pressed for equalisation of all services in terms of status, rank and pay, and for increased participation in the highest decision making processes, which had   always been reserved exclusively for the generalist administrators.[14]

In addition to demands made by the functionalists and specialists for radical changes in any new service structure in Bangladesh, other new ideas were voiced immediately after liberation in certain   quarters.   One   such idea was to recruit and   train a corps of political cadres to take over   the administrative leadership and coordination roles at various tiers of field administration.   This notion was first officially expounded by a group of leading economists who wrote the First Five Year Plan (1973-1978) of Bangladesh.[15]   The main argument was that traditional government func-

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[12]See M. M. Khan and H. M. Zafarullah, "Administrative Reform and Bureaucratic Intransigence in Bangladesh", in G. E. Caiden and H. Siedentopf. (eds.), *Strategies for Administrative Reform*, Toronto, Lexington Books, 1982, pp. 139-141.

[13]See "Memorandum of the ex-EPCS (Executive, Class I) Association" in *Report of the Rashid Commission*, Part I—*The Services*, Vol. III, *op. cit.*, pp. 228-235.

[14]For further details about the generalist *vs.* specialist controversy, see Zaman, *op. cit.*, pp. 35-42.

[15]After liberation, the newly constituted Planning Commission of Bangladesh comprised one chairman and three members, all were previously Dacca University teachers in Economics. But by 1975, all of them left the Commission. Two ex-members resumed teaching, while the ex-chairman and an ex-member left the country to join some international organisations.

tionaries lacked appropriate training, outlook and ideological orientation to undertake wide scale development tasks and adopt radical measures to free the masses from their age-old bondage to traditional values and customs. They could never be innovative nor be able to act as catalysts for social change. "It is only a political cadre with firm roots in the people and motivated by the new ideology. . . that can mobilise the masses and transform their pattern of behaviour."[16] Political and administrative developments in Bangladesh ever since her birth suggest that the traditional administrative system must adapt itself to the changed socio-political environment.[17]

RLFORMS

Two important reform commissions were set up immediately after liberation : the Administrative and Services Reorganisation Committee (ASRC) and the National Pay Commission (NPC).[18] The ASRC was set up to examine the civil service system and suggest ways and means to rectify its defects and bring it into harmony with changed socio-political conditions and economic expectations of the people.[19] The NPC was instituted to examine the existing pay structure and suggest a new one commensurate with the contemporary cost of living, but keeping in view resource constraints of the new country.[20]

[16]Bangladesh, Planning Commission, *The First Five Year Plan*, 1973-78, Dacca, 1973, p. 4.

[17]In early 1975, the Awami League (AL) government appointed 62 district governors, mostly drawn from persons having political background, to take charge of 62 new districts. The whole scheme was dropped immediately after the downfall of the AL regime. In April 1980, the government of General Ziaur Rahman (Zia) announced the appointment of 20 members of Parliament (MP) as District Development Coordinators (DDC) with rank and status of a deputy minister. It also set up a 53-member Envoys Pool consisting of persons from among MPs and Bangladesh Nationalist Party (BNP) leaders. The DDCs were to assist in implementing different development schemes at district levels. The members of the Envoys Pool were to undertake visits to foreign countries on assignments to procure aid for the country. As part of Zia's village-oriented politics and administration, 68,000 *gram sarkars* (village governments) were organised throughout the country in or about December 1980. A *gram sarkar*, consisting of one *gram prodhan* (village headman) and eleven members, including two female members, was to handle all local problems, maintain law and order, control population growth, and help in the increase of food production at village levels. (For further details of these developments, see A. Haque, 'Bangladesh in 1980', in *Asian Survey*, Vol. 21, No. 2, February 1981, p. 192: M. M. Khan and H. M. Zafarullah, "Innovations in Village Government in Bangladesh", *Asian Profile*, Vol. 9, No. 5, October 1981, pp. 447-453). But the new military regime in Bangladesh has dropped all these 'innovations'. *Cf. Ittefaq*, April 7, 1982: *Ittefaq*, July 11, 1982, *The Bangladesh Observer*, July 14, 1982.

[18]See S. G. Ahmed, *The Image of Public Service in Bangladesh*, Dacca, Centre for Administrative Studies (CENTAS), 1975, pp. 28-34.

[19]See *Report of the ASRC*, Part I : *The Services*, 1973, pp. i-ii.

[20]See *Report of the NPC*, Vol. 1, pp. 1-2.

The ASRC, which submitted its Report in 1973, recommended a single, classless structure, covering all the services in ten grades (*i.e.*, grade I to grade X), with an appropriate number of pay levels for different levels of skills and responsibility. It suggested, however, that grading of each post be preceded by extensive job analyses throughout the services.

In recommending a new service structure, the ASRC emphatically stressed that : (*i*) there should be no reservation of posts in the secretariat for any particular service cadre, (*ii*) all persons with proven talent should have equal opportunity to rise to the top positions, and (*iii*) that senior officers at the national headquarters should be periodically exposed to changing problems at field administration units in order to establish a living fellowship between the officials and the masses.[21]

The NPC, which submitted its report in May 1973, recommended ten national scales of pay, within limits of Taka 2000 (highest) to Taka 130 (lowest), to match the ten service grades recommended by the ASRC.[22]

The report of the ASRC was never made public. Nor did the AL government ever make any official statement endorsing the ten unified service grades recommended by the ASRC. But the main report (Volume I) of the NPC was released to the public in May 1973. Subsequently, the AL government also issued an official statement indicating its formal acceptance of the ten national scales of pay recommended by the NPC.[23] By late 1975, some of the national scales of pay (X to V) were in the final process of implementation.[24]

The implementation of the national scales of pay for higher grades (IV to I) could not be undertaken so readily. Conversion of existing scales of pay of the class I officials into the four new national scales would have involved drastic reduction of salary, rank and grade of service for relevant officials.[25] Moreover, the persistent price escalation from 1972 and onward made the very basis of salary determination obsolete. Consequently, the public employees belonging to the former class divisions of II, III and IV received their salary according to the new pay scales recommended by the NPC, while the class I officials were allowed to draw their salaries according to scale carried over from the pre-liberation period. This duality in salary administration continued until July 1977, when a new pay plan was introduced based on recommendations of the Pay and Services Commission (hereinafter cited as the Rashid Commission after the name of its Chariman, A. Rashid) constituted in February 1976.[26]

[21]See *Report of the ASRC*, Part I : *The Services*, paras 1.10, 3.8, 3.9, 3.10.

[22]See *Report of the NPC*, Vol. 1, pp. 76-89.

[23]See S. G. Ahmed, *op. cit.*, pp. 40-41.

[24]*Ibid.*, p. 46.

[25]*Ibid.*

[26]See M. Jainul Abedin, "Classification System in Bangladesh", in A. Raksasataya and H. Siedentopf (eds.), *Asian Civil Services : Technical Papers*, Vol. 1, Kuala Lumpur, APDAC, 1980, p. 17.

The Rashid Commission

Following the major political change in August 1975, the new government decided to discontinue the further implementation of the national scales of pay recommended by the NPC. This decision was accompanied by an official observation that the NPC's pay plan could not be fully implemented because of "changes in objective conditions and various difficulties arising out of squeezing of a large number of scales of pay in a few national scales".[27]   Hence the government felt obliged in February 1976 to set up a new commission, the Pay and Services Commission (Rashid Commission), to conduct a fresh inquiry into the services and pay structure and suggest necessary reforms.[28]

The Rashid Commission submitted its comprehensive report in May 1977. It contained, *inter alia*, (*i*) a detailed review of the development of the civil service in the subcontinent, (*ii*) a balanced view relating to issues concerning the generalist *vs.* specialist controversy, (*iii*) an empirical study of attitudes of the Dacca University students towards the services (Vol. II, Part I), and (*iv*) countless memoranda (Vol. III, Part I, 738 pages) from various service associations, employee unions, and other interested groups and individuals. The following were the main recommendations relating to the service structure:

1. The term 'civil service' should include all government functionaries except those in the defence services.
2. The national civil service should consist of four broad tiers in hierarchical order: (*i*) the administrative, top management and specialist group, (*ii*) the executive and middle management group, (*iii*) the inspectorial, ministerial, technical and support group, and (*iv*) messengerial and custodian group.
3. A number of cadre services (*e.g.*, administrative service, police service, health service, engineering service) should be formed at the top two tiers in major functional areas.
4. There should be an equal opportunity for every qualified and competent member of any of the cadre services to move up to the top administrative jobs.
5. Status, pay and other benefits of the specialist/functionalist groups should be equivalent to those of the top jobs in the secretariat.
6. A superior policy pool, consisting of posts requiring all-round experience, administrative leadership and high level coordination, should be constituted. It should be a new apex cadre of senior officers of

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[27]See *Report of the Rashid Commission*, Part I—*The Services*, Vol. 1, p. 7.
[28]See Bangladesh, Cabinet Division, *Resolution No. 30/1/76-Rules*, dated February 20 1976, in *The Bangladesh Gazette, Extraordinary*, February 20, 1976.

proven quality drawn from all branches of the civil service on the basis of merit and ability to be tested in an objective manner.[29]

The Rashid Commission devised a new pay structure consisting of as many as 52 scales of pay within limits of Taka 230 (lowest) and Taka 4000 (highest).[30] Its recommendations relating to pay structure were largely based on the following broad principles:

(*i*) the pay scales in the public service should be comparable with those obtainable outside;

(*ii*) although the supply of unskilled labour is abundant, the wages to be paid to this class of employees should be related to essential physiological needs rather than to conditions of supply and demand;

(*iii*) since the bulk of the employees in Bangladesh are engaged in administrative and regulatory functions (which often prove unquantifiable), pay in the public service cannot always be directly related to productivity;

(*iv*) a national pay structure should be so designed to attract the ablest and the most qualified persons to various tiers of the civil service;

(*v*) salaries paid to different categories of employees should be enough to ensure the maintenance of their relative standard of living; and

(*vi*) posts requiring pre-entry technical and/or vocational qualifications should be placed at a premium by giving better scales of pay or higher initial pay in the scale.[31]

National Grades and Scales of Pay

The recommendations of the Rashid Commission were thoroughly examined by the Council of Advisers to the President; five separate council committees were duly constituted to work out the details for their implementation, as well as to suggest necessary changes to the original recommendations in light of the existing realities and the state of finance.[32]   Then, on December 20, 1977, the government finally issued an official order called the Services (Grades, Pay and Allowances) Order, 1977, which introduced a new set of national service grades and scales of pay. It provided for 21 grades of service as well as 21 scales of pay within limits of Taka 225 (lowest) and Taka 3000 (highest).[33]   (See Table 5).

[29]*Cf. Report of the Rashid Commission,* Part I—*The Services,* Vol. 1, pp. 41-54.

[30]*Ibid.,* Part II—*Pay and other Benefits,* Vol. 1, p. 55.

[31]*Ibid.,* p. 46

[32]For details about the composition and functioning of these five Council Committees, see Mawdudur Rahman, "Compensation and Motivation in the Civil Service of Bangladesh", in A. Raksasataya and H. Siedentopf (eds.), *Asian Civil Services : Technical Papers,* Vol. 3, *op. cit.,* pp. 29-32.

[33]See Bangladesh, Implementation Division (Ministry of Finance), *Introduction of New National Grades and Scales of Pay,* Dacca, BGP, 1977, p. 2.

TABLE 5   NEW NATIONAL GRADES AND SCALES OF PAY

Grades	Scales
I	Tk. 3000 (Fixed)
II	Tk. 2850 (Fixed)
III	Tk. 2350—100—2750
IV	Tk. 2100—100—2600
V	Tk. 1850—75—2375
VI	Tk. 1700—75—2225
VII	Tk. 1400—75—2000
VIII	Tk. 1150—65—1800
IX	Tk. 900—55—1285—65—1610
X	Tk. 750—50—900—E.B.—55—1230—60—1470
XI	Tk. 625—45—985—E.B.—55—1315
XII	Tk. 470—35—645—E.B.—45—915—55—1135
XIII	Tk. 425—30—575—E.B.—40—735—50—1035
XIV	Tk. 400—25—525—E.B.—30—825
XV	Tk. 370—20—470—E.B.—25—745
XVI	Tk. 325—15—430—E.B.—20—610
XVII	Tk. 300—12—396—E.B.—18—540
XVIII	Tk. 275—10—375—E.B.—15—480
XIX	Tk. 250—6—280—E.B.—8—360
XX	Tk. 240—6—282—E.B.—7—345
XXI	Tk. 225—6—315

SOURCE : Bangladesh, Implementation Division, Ministry of Finance, *Introduction of New National Grades and Scales of Pay*, Dacca, Bangladesh Government Press, 1977, p. 2.

The Services (Grades, Pay and Allowances) Order of 1977 is both a pay plan and a system of classification of services. It is a classification system in that it divides all positions in the civil service into 21 mutually exclusive hierarchical grades based on the nature of work and the level of responsibility assigned to various positions in each grade in the hierarchy. Each grade also reflects matching educational, mental and physical standards demanded of the incumbents. Therefore, the grades listed in the table are in decreasing order of the difficulty and responsibility of their work; the order in which they appear also symbolise their place in the official hierarchy.[34]

Implementation

The new system of grades of service and scales of pay was made effective from July 1, 1977. But the process of implementation was not smooth. Most government employees seemed to have been unhappy over their placement in the new grades of service and scales of pay. Under the previous system, all government employees were grouped into four class divisions

[34]M. J. Abedin, *op. cit.*, pp. 32-34.

(I, II, III, IV), although within a particular class division the employees received varying salaries under different scales of pay. In the new system, when an employee belonging to class I was placed in grade X and an empployee of class IV in grade XXI, in keeping with their *inter se* seniority position in the service and existing salaries, the concerned employees were not prepared to accept their fresh placements because they felt they were being degraded in symbolic terms.

The introduction of the new grades of service also caused great anomalies in respect of fixing new rates of allowances and fringe benefits. Under the previous system of four class divisions, employees belonging to respective classes were more or less entitled to uniform rates of allowances and fringe benefits. Maintenance of such uniformity in the new system became cumbersome as each previous class division was split into several grades.

Hence the new system of grades and scales of pay came under sharp criticism. The government had to take some steps to diffuse the mounting discontents of the aggrieved employees and rectify the anomalies that arose in the wake of introducing the new grades of service and scales of pay. In January 1978, it constituted a Council Committee on Pay and Services (consisting of three Members of the Council of Advisers to the President) to review the new grading system and scales of pay in light of representations received from a large number of affected employees. Subsequently, an Appellate Committee, with Justice Abdus Sattar (Vice President) as Chairman, was also formed to consider the cases of anomalies which might still remain after the Council Committee completed its review.[35]

These and other remedial measures seem to have achieved no substantial progress in easing the tensions and removing the anomalies. Finally, on April 22, 1978, the government announced the abolition of the grading system and modified substantially the new scales of pay, keeping the basis framework of the newly introduced National Scales of Pay intact.[36]

Senior Services Pool

The most important aspect of the newly constituted service structure in Bangladesh is the establishment of the Senior Services Pool (originally known as the Senior Policy Pool), which consists of posts requiring diversified experience, administrative leadership and high level coordination functions. Based on the recommendations of the Rashid Commission, it has been designed to constitute a new apex cadre of senior officials of proven quality drawn from all branches of the civil service on the basis of merit and ability to be tested in an objective manner. The Senior Services Pool (SSP) formally came into being from March 1, 1979, *vide* Notification No. ED(1C)

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[35]See *The Bangladesh Observer*, February 8, 1978.
[36]See *The Bangladesh Observer*, April 23, 1978; E. Ahamed, *Development Administration : Bangladesh*, Dacca, CENTAS, 1981, p. 53.

SII-6/78/5, dated March 1, 1979 and issued by the Establishment Division. Subsequently, a fresh order, called the Senior Services Pool Order, 1979, was issued on August 23, 1979, in supersession of the previous notification, which in effect revalidated the constitution of the SSP.[37]

According to this Order, members of the SSP would ultimately fill all posts of deputy secretary, joint secretary, additional secretary and secretary in the secretariat, except for: (*i*) 10 per cent of the posts of deputy secretary which should be filled by promotion from among section officers belonging to erstwhile secretariat services (Central Secretariat Service or CSS and EPSS), (*ii*) 50 per cent of the posts of deputy secretary, director, and director-general and above (other than the post of secretary) in the Ministry of Foreign Affairs, and (*iii*) 5 per cent of the posts of deputy secretary and above in the Ministry of Law.[38]

Selection of SSP officers is to be made by the government through the Public Service Commission (PSC) in accordance with certain specified competitive examination and/or interviews. All members (of less than 45 years of age) of the erstwhile regularly constituted class I services would be eligible for encadrement as SSP officers. According to section 4 of the Order, all officers, who have at any time before March 1, 1979 held the posts of deputy secretary, joint secretary, additional secretary and secretary in the secretariat, or the posts of director and director-general in the Ministry of Foreign Affairs, are to be considered automatically encadred as SSP officers from March 1, 1979. The government retained, however, a power to encadre, up to June 15, 1981, as SSP officer any member of any of the erstwhile regularly constituted class I services without any consultation with the PSC and without restriction as to age or length of service.[39] All SSP officers encadred after June 15, 1981 through the PSC are to be appointed initially only to the posts of deputy secretary in the secretariat.[40]

In addition, the SSP Order (1979 also provides that about 5 per cent of the senior posts in attached departments and autonomous/semiautonomous bodies and up to 75 per cent of the posts of deputy commissioner would be filled by the SSP officers having training, qualifications and experience appropriate for those posts.[41] The initial cadre strength of the SSP has been fixed at 625, but this may be varied by the government from time to time.[42]

In essence, the SSP has been designed as an 'open structure system' consisting of important administrative posts in the secretariat, as well as a certain percentage of administrative posts in the executive departments and

[37]See Bangladesh, Establishment Division, *Senior Services Pool Order* (hereinafter cited as *SSP Order*, 1979), Dacca, BGP, 1979.
[38]See Section 2 in *SSP Order*, 1979.
[39]See Section 4.
[40]See Section 5.
[41]See Section 6.
[42]See Section 8.

district offices.   Members of all organised services now have equal opportunity to enter the SSP.

The reservation of most top posts in the secretariat and field offices for the CSPs in the past was criticised as unfair as well as impractical in the context of modern development needs and specialisation.   In particular, members of the functionalist and specialist services at both central and provincial levels expressed persistent discontents over the dominant position of the CSPs.   After the constitution of the SSP with a provision for free and open representation from all the cadre services, it may seem that the exclusive right of the members of the erstwhile CSP to senior appointments has been abolished.   Hence an interested observer can view the new system as "forward looking and democratic".[43]   But it seems that such a conclusion has been drawn without regard for growing apprehension among non-cadre civil servants who now feel themselves to have been relegated to the position of 'outcasts'.[44]

Cadre Services

The Rashid Commission proposed to constitute some 29 organised cadre services at the two top tiers of the civil service (*i.e.*, 'administrative' and 'executive') in major functional areas, with broad homogeneity of functions for all positions as well as a distinct hierarchy with well-defined functions for each step in each cadre.[45]

On September 1, 1980, the government formally announced the introduction of a new civil service system, termed as 'unified career service', with 14 functional cadres and 14 sub-cadres[46] (See Table 6).

The new civil service system is largely based on the recommendations of the Rashid Commission.   According to an official government statement, the new service structure was primarily designed to create a 'classless bureaucracy' in the country.   All the 28 cadres and sub-cadres were to be treated as equal and there would be no supremacy of one cadre over the other.   Equal opportunity for going up the service ladder was to be ensured for all, with a view to enabling the best talent in all cadres to reach the highest echelons of the civil service.   There would be only one unified level of entry into the various cadre services in the National Scale of Pay of Taka 750—Taka 1450.   Recruitment to all cadre services would be made on the basis of open competitive examination to be conducted by the PSC.   The maximum age limit for entry to such national level competitive examinations was fixed at 27.   The retirement age for all government officials would continue to be 57.[47]

[43]E. Ahamed, *Development Administration, op. cit.,* p. 54.
[44]M.J. Abedin, *op. cit.,* p. 47.
[45]See *Report of the Rashid Commission,* Part I—*The Services,* Vol. 1, pp. 53, 76.
[46]See *The Bangladesh Observer,* September 2. 1980.
[47]*Ibid.*

Table 6   CADRE SERVICES ANNOUNCED ON SEPTEMBER 1, 1980

Sl. No.	*Cadre Services*
1.	Bangladesh Civil Service (Administrative : Administrative)
2.	Bangladesh Civil Service (Administrative : Food)
3.	Bangladesh Civil Service (Agriculture : Agriculture)
4.	Bangladesh Civil Service (Agriculture : Forest)
5.	Bangladesh Civil Service (Agriculture: Fisheries)
6.	Bangladesh Civil Service (Agriculture : Livestock)
7.	Bangladesh Civil Service (Education : General Education)
8.	Bangladesh Civil Service (Education : Technical Education)
9.	Bangladesh Civil Service (Economic and Trade : Economic)
10.	Bangladesh Civil Service (Economic and Trade : Trade)
11.	Bangladesh Civil Service (Economic and Trade : Statistical)
12.	Bangladesh Civil Service (Engineering : Public Works)
13.	Bangladesh Civil Service (Engineering : Public Health)
14.	Bangladesh Civil Service (Engineering : Roads and Highways)
15.	Bangladesh Civil Service (Engineering : Tele-Communication)
16.	Bangladesh Civil Service (Finance : Audit and Accounts)
17.	Bangladesh Civil Service (Finance : Customs and Excise)
18.	Bangladesh Civil Service (Finance : Taxation)
19.	Bangladesh Civil Service (Foreign Affairs)
20.	Bangladesh Civil Service (Health and Family Planning)
21.	Bangladesh Civil Service (Information)
22.	Bangladesh Civil Service (Judicial)
23.	Bangladesh Civil Service (Postal)
24.	Bangladesh Civil Service (Enforcement : Police)
25.	Bangladesh Civil Service (Enforcement : Ansar)
26.	Bangladesh Civil Service (Railway : Transportation and Commercial)
27.	Bangladesh Civil Service (Railway : Engineering)
28.	Bangladesh Civil Service (Secretariat).

SOURCE: Bangladesh, Establishment Division, Cabinet Secretariat, Notification No. S.R.O. 1-L/81/ED/(R-II)R-70/80, January 1, 1981, published in *The Bangladesh Gazette (Extraordinary)*, January 1, 1981, Schedule 1.

The official government statement continued that, after being duly selected, all fresh recruits would undergo a combined five-month long foundation course at the Civil Officers' Training Academy. The successful recruits in the course would be assigned both secretariat and field level posting in rotation during the probationary period, and only those probationers whose performance was found satisfactory would be confirmed in cadre posts. There would be no system of reservation of posts for any particular cadre personnel in the secretariat. Promotion to higher posts in the secretariat would be made from all cadre services on the basis of criteria laid down in the SSP Order (1979).

The new civil service system was officially declared to have been introduced from September 1, 1980. It was also officially decided that this date

would be celebrated as 'Civil Service Day' in every subsequent year in token of this 'historic' introduction of a new civil service system.   As described by the then Establishment Minister, "the new service structure is new not only in the subcontinent but also in the Commonwealth countries".[48]

<div align="center">LEGAL BASIS OF SERVICES</div>

Constitutional Provisions

The Constitution of Bangladesh contains provisions relating to the services similar to those provided under the Government of India Act of 1935 and the constitutions of 1956 and 1962 in Pakistan.[49]   But some provisions in the Bangladesh Constitution, such as those relating to the establishment of Administrative Tribunals (Art. 117) and appointment of an Ombudsman (Art. 77), seem unique.   Article 29 in Part III of the Constitution provides for equality of opportunity for all citizens in public employment as follows:

1. There shall be equality of opportunity for all citizens in respect of employment or office in the service of Bangladesh.
2. No citizen shall, on grounds only of religion, race, caste, sex or place of birth, be ineligible for or discriminated against in respect of any employment or office in the service of Bangladesh.

Clause (3) of article 29 provides, however, that nothing in the article shall prevent the government from: (*a*) making special provision in favour of any backward section of citizens for the purpose of securing their adequate representation in the service, (*b*) giving effect to any law which makes provision for reserving appointments relating to any religious or denominational institutions to persons of that religion or denomination, (*c*) reserving for members of one sex any class of employment or office on the ground that it is considered by its nature to be unsuited to members of the opposite sex.

Part IX of the Constitution is entirely devoted to the services.   It includes such provisions as: (*i*) appointment and conditions of service of persons in the civil service are to be regulated by law enacted by Parliament (but the President shall be competent to make rules regulating appointments and conditions of service of such persons until provision in that behalf is made by Parliament), (*ii*) all public servants shall hold office during the pleasure of the President, (*iii*) they shall not be dismissed or removed from

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[48]See *The Bangladesh Observer*, September 2, 1980.

[49]*Cf.* Sections 240-263 in the Government of India Act of 1935; Arts. 179-183 in the 1956 Constitution of Pakistan; Arts. 174-179 in the 1962 Constitution of Pakistan: Arts. 133-136 in the Constitution of Bangladesh.   No effort is made here to update this description concerning the legal status of Bangladesh Civil Servants based on changes which might have taken place following the recent military takeover and the suspension of the Constitution and 'democratic political processes'.

service or reduced in rank by an authority subordinate to that by which they were appointed, and (*iv*) disciplinary action will not be taken until they have been given a reasonable opportunity of showing cause against the action proposed to be taken (unless the action is taken on grounds of conviction on a criminal charge, or the dismissing authority is satisfied that for reasons recorded by him it is not practicable to give an accused civil servant an opportunity of showing cause, or the President decides that it is not expedient for reason of state security to give that person such opportunity.)[50]

The Government of India Act 1935 and the constitutions of 1956 and 1962 in Pakistan had provided certain special procedural safeguards for civil servants. These required the rule making authority (legislature and executive) to see to it: (*i*) that no law or rule be framed which would vary the terms and conditions of service of a person to his disadvantage, and (*ii*) that every person would have at least one appeal against any order which would: (*a*) punish or censure him, (*b*) alter or interpret to his disadvantage any of his existing service conditions, or (*c*) terminate his employment before he has reached superannuation age (unless the order was not made by the Governor General/President).[51]

It is noteworthy that the Constitution of Bangladesh provides no such procedural protection to civil servants. Moreover, the constitutions of 1956 and 1962 in Pakistan seemed 'soft' about the finality of decisions by the dismissing authority especially in circumstances in which the affected person was denied an opportunity to show cause. By contrast, the Constitution of Bangladesh firmly maintains that such decisions of "the authority empowered to remove or dismiss such person or to reduce him in rank shall be final".[52]

In addition, relevant constitutional provisions purporting to provide for some measure of procedural safeguard to civil servants in Bangladesh have lost much of their legal force in view of Art. 136. This article empowers the government to enact law for the reorganisation of the civil service by amalgamating or integrating the existing services, even though such measures might vary or revoke conditions of service for persons in the service.

Statutory and Non-Statutory Rules

Since it is practically impossible to include provisions in the Constitution relating to every aspect of the public service, Art. 133 of the Constitution has empowered Parliament to enact law from time to time to regulate

[50]See Arts. 133-135 in the Constitution of Bangladesh.
[51]See sections 247 and 248 in the Government of India Act of 1935; Art. 182 in the 1956 Constitution of Pakistan; Art. 178 in the 1962 Constitution of Pakistan.
[52]See Art. 135(3) in the Constitution of Bangladesh; A. T. R. Rahman, "Administration and Its Political Environment in Bangladesh", *Pacific Affairs*, Vol. 47, No. 2, Summer 1974, p. 175.

appointments and service conditions of the government employees.   It also authorises the President to make rules regulating appointments and conditions of service of such persons until Parliament enacts such law.

But the fact is that most matters relating to recruitment and conditions of service are generally regulated by statutory rules made by the President subject to final ratification by Parliament.   There are some statutory rules, such as the Government Servants' Retirement Act (1975), Government Servants' (Discipline and Appeal) Rules of 1976, Services (Grades, Pay and Allowances) Order of 1977, Government Servants' Conduct Rules of 1979, and Public Servants' (Special Provisions) Ordinance of 1979, which apply to civil servants in general.   But some rules like the Bangladesh Civil Service Recruitment Rules of 1981, Recruitment, Composition and Cadre Rules (issued in 1980 and 1981) of different cadre services apply only to specified categories of employees.[53]

In addition, many service rules issued before liberation have been adopted in Bangladesh under the Laws Continuance Enforcement Order of 1971. They include, *inter alia,* the Fundamental Rules and Supplementary Rules (1964), East Bengal Service Rules (1970), East Bengal Financial Rules (1953), and Prescribed Leave Rules (1959).[54]

The rules just discussed and other statutory rules form part of a general establishment code for the regulation of services, and their promulgation leaves much scope for regulating the services by 'interpretative rules' regarding matters of purely direct or immediate administrative interest. These 'interpretative rules' are what one can identify as the numerous cabinet decisions, government orders, circulars and memoranda issued from time to time by the various ministries/divisions, especially the Establishment Division, Cabinet Division, and Ministry of Finance.[55]

These various statutory and non-statutory rules provide detailed guidelines on recruitment, promotion, disciplinary action and employee welfare. They prevent the government from dealing with employees in an arbitrary and haphazard manner and provide a good deal of job security to the latter.

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[53]Zaman, *op. cit.,* pp. 16-17; M. Ali, "Structure and Functions of Central Personnel Agencies in Bangladesh", in A. Raksasataya and H. Siedentopf (eds.), *Asian Civil Services · Technical Papers,* Vol. 5, Kuala Lumpur, APDAC, 1980, pp. 9-10.

[54]*Ibid.* These rules were especially meant for the provincial Services. Many of these and other rules were compiled by the Services and General Administration Department of the Government of East Pakistan in three large volumes, entitled : (*i*) *The East Pakistan Establishment Manual* (1968), (*ii*) *East Pakistan Services Rules,* Part I (1970); (*iii*) *East Pakistan Services Rules,* Part II (1972), and published by the East Pakistan Government Press. Statutory rules, government orders, cabinet decisions, circulars and memoranda relating to the Central Services were compiled by the establishment Division of the central government in four large volumes entitled *The Establishment Manual.*

[55]Most of the interpretative rules are to be published in the official gazettes and subsequently are reproduced in compiled manuals published by the Establishment Division and Ministry of Finance.

At the same time, many of these rules have given power and authority to the government. In other words, some rules grant prerogatives to the government while other rules safeguard rights and privileges of the employees.

Unfortunately, the very diversity and complexity of these rules tend to create immense problems for smooth personnel management. Their characteristic incomprehensibility often results in confusion and red tape. Most of the people who deal with personnel matters in Bangladesh cannot be fully conversant with all the service rules, and the uninitiated often find it difficult to comprehend their applications and implications.[56]

Administrative Tribunal and Civil Remedies

Art. 177 of the Constitution provides that Parliament may by law establish one or more Administrative Tribunals to exercise jurisdiction in matters relating to or arising out of the terms and conditions of service of persons in the civil service. On May 28, 1981, Parliament finally passed the Administrative Tribunals Act (1980) to give effect to this constitutional provision. This Act provides one or more Administrative Tribunals with exclusive jurisdiction to hear and determine applications made by any person in the service in respect of his terms and conditions of service (including pension rights) or in respect of any action taken in relation to him as a civil servant.[57] The Act also provides an Administrative Appellate Tribunal to hear and determine appeals from judgements of an Administrative Tribunal.[58] Section 10 of this Act provides in clear terms that "no proceedings, order or decision of a Tribunal shall be liable to be challenged, reviewed, quashed or called in question in any court of law".

According to sections 3 and 5 of this Act, an Administrative Tribunals shall consist of one member to be selected by the government from among persons who held the office of district judge, whereas the Administrative Appellate Tribunal shall consist of a chairman and two members; the chairman shall be selected either from among the judges of the Supreme Court or civil servants not below the rank of additional secretary; the two members shall be selected from among civil servants not below the rank of joint secretary and judicial officials who held the office of district judge, respectively.

The President formally announced the establishment of the Administrative Tribunal in an inauguration ceremony held on January 1, 1982. The newly constituted Administrative Tribunal comprises two benches: 'Administrative Tribunal' and 'Administrative Appellate Tribunal'. The Administrative Tribunal has started functioning from January 2, 1982, where-

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[56]K.A. Zaman, *op. cit.*. p. 12.

[57]Full text of the Administrative Tribunals Act (1980) was published in *The Bangladesh Gazette (Extraordinary)* June 5, 1981.

[58]See 6 of the Administrative Tribunals Act (1980).

as the Administrative Appellate Tribunal would be set up in due time to hear and determine appeals from judgements of the former.[59]

However, until the establishment of the Administrative Tribunal, civil servants in Bangladesh could seek redress in ordinary courts of law if they felt aggrieved by any action of the government affecting their conditions of service, including constitutional rights and privileges. As ordinary citizens, they had an inalienable right to secure "the protection of the law, and to be treated in accordance with law".[60] They could move the Supreme Court in case any of their guaranteed rights and privileges were infringed.[61] Civil remedies sought by civil servants usually included suits for damages, declaratory actions, and injunctions, including other extraordinary remedies in the nature of prerogatives, rules, and directions available in the Supreme Court and subordinate courts. Normally the courts insisted that employees should exhaust all channels of appeals available within the department before they finally would have to approach a court of law.

In carrying out judicial reviews, the courts used to take into account not only express constitutional and legal provisions, but also principles of natural justice, and the spirit of the Constitution as embodied in the Preamble and in Part II, which enumerate fundamental principles of state policy. Where it was found that an action had not been taken in accordance with legal provisions, where service rules had not been correctly interpreted, where action was *mala fide*, or where any action involved considerations extraneous to the case, the courts normally reversed executive actions and provided necessary judicial relief to affected civil servants.

In April 1980, Parliament passed the Obudsman Act (1980) in pursuance of Art. 77 of the Constitution, which provides for establishment of an office of Ombudsman to deal with citizen grievances. As of July 1983, no such office had been formally constituted.[62]

ASSESSMENT

It may seem that Bangladesh has achieved a major breakthrough in devising a new civil service structure. By far the most notable feature of the new structure is that the newly constituted Administrative Cadre (which comprises all Bengali members of the ex-CSP and all former EPCS Execu-

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[59]See *The Bangladesh Times*, January 2, 1982.

[60]See Art. 31 in the Constitution of Bangladesh.

[61]See Art. 44. But this article seems to have lost much of its legal force in view of Art. 45, which provides that the enforcement of fundamental rights through the Supreme Court shall not apply to any provision of a disciplinary law enacted or to be enacted for the purpose of ensuring the proper discharge of duties by or maintaining discipline among the government functionaries.

[62]Full text of the Ombudsman Act (No. XV of 1980) was published in *The Bangladesh Gazette (Extraordinary)* Part V, April 9, 1980.

tive Class I officers) now have no exclusive right to the senior administrative positions in the secretariat. Promotion prospects and pay scales for all organised cadre services have been equalised. In general and with the exception of members of the Administrative Cadre, reaction of civil servants to the new service structure has been favourable. This favourable reaction seems attributable to two main factors : first, the new structure puts all cadre services at par; second, most of those who were previously critical of the cadre system have now been brought under newly created cadres.[63]

Yet the claim that a 'classless bureaucracy' has been established seems questionable. The new system is not designed to eliminate the vestiges of the colonial class divisions in the bureaucracy such as 'superior' and 'inferior', 'gazetted' and 'non-gazetted', and class I, II, III, and IV. The important fact is that the new system does not apply to the whole body of government employees. It covers only the upper echelons of the civil bureaucracy. It is true that government employees are no longer officially categorised as class I, class II, class III, or class IV. An official attempt in December 1977 to euphemize the old four class divisions by introducing twenty-one grades of service was finally abandoned in the face of large-scale employee dissatisfaction. According to official clarifications issued by the government after abolition of the twenty-one service grades, an employee's pay scale in the national pay structure is the main determinant of rank and status in the service structure.[64]

The reality is that government employees are still classified into two broad categories, *i.e.*, gazetted and non-gazetted. The employees whose appointment, posting, promotion and retirement are notified in the official gazettes are called gazetted employees. They are normally invested with higher powers and responsibilities and consequently enjoy greater privileges. In addition, there is a persistent tendency to classify government employees into the traditional four tiers : (*i*) administrative, top management and specialist group, (*ii*) executive and middle management group, (*iii*) inspectorial, ministerial, technical and support group, and (*iv*) messengerial and custodian group.[65] The classification of employees into four tiers is reflected in various ways. First, most employees belonging to first two tiers are appointed and dismissed by the President himself. All fresh recruits to the cadre services first enter posts in the entry levels of the second

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[63]Abedin, *op. cit.*, p. 41.

[64]A referee to these official government clarifications was made in the memorandum that members of the Administrative Cadre (hereinafter cited as Bangladesh Administrative Services or BAS) submitted to the President in July 1981. Full text of this memorandum was published in *Ittefaq*, September 9, 1981 (hereinafter cited as *BAS Association Memorandum, Ittefaq*, September 9, 1981).

[65]The Rashid Commission specifically recommended that the civil service of Bangladesh should continue to consist of these four separate tiers; see its *Report*, Part I—*The Services*. Vol. 1, p. 52.

tier with due opportunity for advancement to posts in the first tier. The minimum educational qualifications for entry to posts in second tier is a university bachelor degree. Second, employees of third and fourth tiers are normally appointed under the signatures of departmental heads (*e.g.*, secretaries and directors-general) or their immediate subordinate officers such as additional secretaries, joint secretaries, or directors. There is practically no scope for advancement from posts of fourth tier to posts of third tier and from posts of third tier to posts of second tier. Minimum educational qualifications for employees of third tier are high school certificates or technical diplomas, whereas the employees of fourth tier are mostly semiskilled or unskilled. Third, conditions of service (*e.g.*, pay scales, leave, medical aid, pensions) for employees of first two tiers are generally better than that of the other two tiers.

In effect classification of employees into four tiers resembles the previous four class divisions. It is also true that these divisions of government employees will remain so long as there would be differences of educational achievements, aptitudes, physical and mental make-up among potential aspirants for public employment. Hence, the claim of a 'classless bureaucracy' seems to have no basis so far as the whole body of government employees is concerned. It is only in terms of the higher bureaucracy that such claim holds good in some measure. For all the newly organised cadre services are placed on equal status; no single cadre service has been given a predominant role in the civil service.

One of the main defects of the old service structure was the complex division of the services into separate cadres, which were criticised as 'closed' and 'elitist' with inherent tendency to breed inter-service rivalry and jealousy. In Bangladesh, the new civil service system has not only retained the old service cadres, but their number has also been increased. Characteristically, the newly constituted SSP can be compared with the erstwhile CSP and the Economic Pool. The reorganised service cadres are largely similar to the Central Superior Services existed in United Pakistan. According to one observation, the reorganisation of the service cadres and the formation of the SSP might continue to sustain the existing inter-service rivalries and jealousies.[66]

Despite an apparently favourable reaction, implementation of the new service structure is not proceeding smoothly for several reasons. First, there is a growing discontent among many civil servants on the question of determining the *inter se* seniority in the newly constituted cadre services. It appears that length of service is given more weight in determination of *inter-se* seniority of persons who now constitute one service as a result of the merger of former central and provincial cadres working in the same functional

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[66]Abedin, *op. cit.*, pp. 46-47.

areas.[67] Hence members of the former Provincial Services seem to have been benefiting more in the new system. Before liberation, promotion prospects and service conditions of the Provincial Services were inferior to that of the Central Services. In particular, progression within the service for members of the Provincial Services was slow compared to that of members of the Central Services. But in the new amalgamated cadres, members of the Provincial Services are being advantaged over members of the former Central Services because they have longer length of service. Naturally, members of the former Central Services are not generally happy over their new rank orders in the amalgamated civil lists. Their main complaint is that many members of the former Provincial Services did initially try and fail to secure a job in the former Central Services, and that those members of the Provincial Services are reaping the fruits of the new civil service system.

Second, initial strength of the SSP has been fixed at 625. According to sec. 4 of the SSP Order, all officers, who at any time before March 1, 1979 held the posts of secretary, additional secretary, joint secretary and deputy secretary in the secretariat, have been automatically encadred as SSP officers from March 1, 1979. The majority of these automatically encadred SSP officers are former members of the CSP and EPCS because the two cadres for so long virtually monopolised senior administrative posts in the secretariat. This automatic encadrement of former CSPs and EPCSs leaves few positions in the SSP for members of other cadre services. Therefore, members of most cadre services (other than the Administrative Cadre) feel deeply aggrieved. They argue that the main objective of the constitution of the SSP was to provide for free and open representation in the upper echelons of the administration by members from all cadre services. But the automatic encadrement of members of the Administrative Cadre has created an imbalance in the composition of the SSP, reflecting the old dominant position of the CSPs and EPCSs in the higher levels of administration.[68]

Third, on April 26, 1969, the government constituted two selection committees to hold interviews and examine annual confidential reports on the work and conduct of officers eligible for the SSP posts of additional secretary, joint secretary and deputy secretary on a one-time entry basis.[69] Establish-

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[67]Abedin, *op. cit.*, p. 41.

[68]See press reports published in *Ittefaq* on February 5, 1982 and February 6, 1982 covering relevant viewpoints of members of twenty-two service cadres, namely, Agriculture, Forest, Fisheries, Livestock, General Education, Technical Education, Economic, Trade, Public Works, Public Health, Roads and Highways, Telecommunication, Audit and Accounts, Customs and Excise, Taxation, Police, Postal, Railway Transportation and Commercial, Railway Engineering, Secretariat, Information, and Health and Family Planning.

[69]The Committee No. 1 consisted of Justice Abdus Sattar, Vice President (Chairman), Major-General (Retd.) M. Majido-ul Huq, Establishment Minister (Member), and Dr. Fashiuddin Mahtab, Planning Minister (Member). This Committee was to recommend one-time entry for posts of additional secretary and joint secretary. The Committee No. 2,

ment of these two committees was necessary because the government had retained power to select members of the SSP without consultation with the Public Service Commission until June 15, 1981.[70] But the fact is that both these committees consisted of members exclusively drawn from political elements. This foreshadowed a clear deviation from the existing system of appointment on promotion to senior posts. Until the constitution of these two committees, it was the Superior Selection Board, consisting of the Cabinet Secretary as Chairman and other selective top officials as members, which used to consider and recommend all senior appointments in the government.[71] The very composition of these two new committees for the selection of SSP officers cast grave doubt on their ability to function objectively. In particular, members of the Administrative Cadre (hereinafter cited as the Bangladesh Administrative Service or BAS) openly protested constitution of these two 'political committees' through a formal memorandum submitted to the President in July 1981.[72] The memorandum cited glaring instances in which the committees recommended supersession of many senior and deserving officers by junior officers as well as by officers with bad service records. These supersessions have led to simmering frustration among higher echelons of the bureaucracy.[73]

Fourth, the status of members of the professional and technical services has been pushed up the ladder in terms of their placements in the new pay structure. For example, the pay scales of agriculture officers, livestock officers, sugar-cane development officers at district levels had been Taka 350-925. In the new pay structure their pay scales have been fixed at par with that of the deputy commissioners, *i.e.,* Taka 1400-2225. Previously the deputy commissioners were placed in the Senior CSP Scale of Taka 850-1650+Special Pay of Taka 165. Members of the BAS argue that their role at subdivision, district and division levels remains as important as before. They are still charged with such crucial functions as general administration, maintenance of law and order, and coordination of development activities. Effective discharge of these functions presupposes due status and rank granted to persons responsible for dealing with such functions. But the present parallel pay scales for all officials at field levels

(*Continued from previous page*)
consisting of Kazi Anawarul Haque, Adviser to the President (Chairman), Major-General (Retd.) Nurul Islam, Agriculture Minister (Member), and Mr. M. Saifur Rahman, Commerce Minister (Member), was to recommend for posts of deputy secretary. See *The Bangladesh Gazette*, No. 18, 1979, dated May 3, 1979, p. 112.

[70]See sub-section (*b*) of section 4 of the SSP Order of 1979.

[71]For details about the composition and functions of the Superior Selection Board, see S. G. Ahmed, "Organisation for Personnel Administration in Bangladesh", *op. cit.*, pp. 225-227.

[72]See *BAS Association Memorandum, op. cit.*

[73]See A. Mahmud, "Quizzical Way up the Bureaucratic Ladder", in *The New Nation* (Weekly), September 27, 1981.

have created an imbalance in the existing status relationship between members of the BAS and those of other functionally organised cadre services. It is likely that such imbalance might have effects in interfering with the effective conduct of general administration and coordination of development activities at field levels.[74]

It seems clear from the foregoing assessment that reaction of members of the BAS to the new service structure is not at all favourable. Although the erstwhile CSPs now constitute a small group (about 180 in all) in the total bureaucratic population, they are definitely more articulate than others. They are still holding the most important administrative positions in the government. Lately they have joined hands with members of the former EPCS. In fact, the CSPs and EPCSs have always maintained a united front whenever the technocrats and specialists have tried to lay hands on the crucial posts in the secretariat.[75] It is noteworthy that members of the BAS have already initiated formal action to regain their lost privileges. Less than two months after the assassination of General Zia (who was the president of Bangladesh from April 1977 to May 1981), they submitted a long and strongly worded memorandum to the then Acting President (Justice Abdus Sattar) with a list of specific demands. In particular, they demanded that : (*i*) 95 per cent of the administrative posts in the secretariat and field levels should be kept reserved for members of the BAS; (*ii*) pay scales of members of the BAS posted at field levels should be upgraded; (*iii*) the existing system of appointing on deputation members of the BAS to various autonomous/semi-autonomous bodies should be retained; (*iv*) all superseded members of the BAS should be promoted to senior posts with retrospective effect; and (*v*) the newly constituted 'political committees' for senior appointment and promotion should be abolished and the existing Superior Selection Board reinvested with the function of making senior appointments on promotion.[76] In short, members of the BAS have demanded the restoration of virtually all privileges to which they were previously entitled.

In retaliation, members of most other service cadres submitted a joint counter-memorandum.[77] They termed the 'move' by members of the BAS as part of a heinous conspiracy at a time when the new service structure was near the final stage of implementation. They also raised new demands:

[74]See *BAS Association Memorandum, op. cit.*

[75]See T. Maniruzzaman, "Administrative Reforms and Politics within the Bureaucracy in Bangladesh", *Journal of Commonwealth and Comparative Politics*, Vol. XVII, No. 1, 1979, p. 49.

[76]See *BAS Association Memorandum, op. cit.*

[77]The twenty-two service cadres (as listed in note 68) jointly submitted a counter-memorandum to the President in October 1981. They also formed a coordination committee to make concerted efforts to frustrate the power pretensions of members of the BAS. Members of these service cadres also adopted such tactical measures as wearing black badges to demonstrate openly their opposition to the demands of members of the BAS, See *Ittefaq*, October 4, 1981; *The Bangladesh Times*, February 6, 1982.

for example, the BAS should be abolished forthwith, and the designations of 'sub-divisional officer', 'deputy commissioner' and 'divisional commissioner' should be changed to 'land revenue officer' or 'magistrate', in keeping with the nature of actual functions performed by members of the BAS.[78]

In general, professionals and technocrats argue that increased functionally based development activities throughout the country call for wider participation by members of the professional and technical services in both decision-making and implementation processes. Efficient fulfilment of development goals of the government is possible only if members of the professional and technical services are properly motivated by having been granted due service status and emoluments. They insist that the responsibilities of general leadership and coordination of development functions at all levels should be vested in the hands of the elected representatives.[79]

In summary, Bangladesh's new service structure has not prevented the civil service system from remaining in a state of flux and controversy.   □

[78]See *Itefaq*, February 6, 1982.
[79]See *The Bangladesh Times*, February 6, 1982.

Book Reviews

Repromulgation of Ordinances : A Fraud on the Constitution of India
D. C. WADHWA, Pune, Gokhale Institute of Politics and Economics, 1983,
pp. 259, Rs. 95.00

Dr. D. C. Wadhwa's book is a notable scholarly contribution to the cause of constitutionalism.

Dr. Wadhwa is neither a constitutional lawyer nor a political scientist in a formal sense. His study was the result of what may be called an accidental 'extra-disciplinary' incursion which deserves the welcome and acclaim of lawyers and political scientists. Dr. Wadhwa is an economist by training. While examining tenancy legislation in Bihar, he encountered a spate of successive ordinances on the subject. This, he thought, was peculiar, for ordinance-making power is not meant to do service for the regular legislative routine. His curiosity led him to travel beyond the borders of his discipline and the confines of his formal training. He describes the journey as thrilling for him. The outcome is not merely a careful and engaging travelogue of our constitutional countryside but an eye-opening exposure of a wilful contravention of the scheme and the spirit of our Constitution. To put it bluntly, the abuse of ordinance-making power by repeated repromulgation of ordinances is an invasion of the power which the Constitution confers on the Legislature and is an executive foreclosure of legislative authority. The ordinance-making power is in any event an exceptional power intended to be used only occasionally under specified conditions and for a duration which should never extend beyond the maximum permissible duration. The limit of time is the essence and in-built constraint of that exceptional power. Repromulgation of ordinances in contravention of that constraint is an arbitrary denial of the very premises of the ordinance-making power. It is morally untenable and legally impermissible. Dr. Wadhwa has demonstrated that it is a constitutional disgrace.

Dr. Wadhwa has not discovered an unknown no man's land in constitutional law. The power to legislate from ordinance to ordinance was already a subject matter of constitutional challenges in courts of law*. But

*The constitutional validity of the highly objectionable Bihar practice of repromulgating ordinances was challenged in many writ petitions and Special Leave Petitions by the present reviewer both in the High Court of Patna and Supreme Court and many of these cases are still pending. Perhaps the earliest case in which repromulgation of ordinances was challenged and argued in the High Court of Patna was the case of Shri Daroga

this vital constitutional issue is submerged in the iceberg of arrears in the Supreme Court. Dr. Wadhwa has salvaged that vital issue and has developed in this study a well-documented thesis and a kind of brandies brief to challenge the obvious perversion of ordinance-making power in Bihar. What Dr. Wadhwa offers in his remarkable study is sound constitutional law, substantially free of legal jargon.

Dr. Wadhwa's study shows that constitutionalism is not and should not be the preserve of lawyers, that constitutional law is in a large measure nothing but sophisticated common sense and that distortions and digressions are more often than not uncommon and unacceptable nonsense. Dr. Wadhwa's book is an example of inspired and outraged scholarship working with patience and perseverance and reasonable objectivity to build up a complete and integrated thesis in a text of 82 pages supported by 13 tell-tale tables. In this thesis, he takes us to the nature and premises of the unusual ordinance-making power and the clear pattern of its persistent and unabashed abuse.

Dr. Wadhwa discusses the question of the life of an ordinance. After a careful analysis, he comes to the conclusion that the maximum life of an ordinance promulgated by the Governor of a State is of $7\frac{1}{2}$ months. There is nothing in the Constitution which empowers the Governor to prolong or extend the life of an ordinance beyond that maximum duration of $7\frac{1}{2}$ months.

Tables in the book make the documented facts speak for themselves. Ample evidence is put forth to show that the Governor of Bihar has time and again repromulgated ordinances to make them operative far beyond the maximum period which is constitutionally permitted. Examples of flagrant violations of the ordinance-making power abound in the legislative jungle of Bihar.

Table 8 appended to the book makes a dismal and depressing reading. It documents the decline of constitutional norms and parliamentary properties and shows how we have fallen on evil days particularly after 1968. Before 1968, there was no ordinance which had lived beyond its maximum life span of $7\frac{1}{2}$ months. In 1968, however, the Bihar Sugarcane (Regulation of Supply and Purchase) Ordinance, 1968 was promulgated and it was thereafter repromulgated times without number so as to give it a life span of

(Continued from previous page)

Prasad Roy (deceased) vs. Shri Sohoni. The Patna High Court upheld the validity of the repromulgated ordinance but the Supreme Court granted Special Leave against the judgement of the Patna High Court. Subsequently this issue was raised in a number of Writ Petitions as well Special Leave Petitions. Dr. Wadhwa has recently instituted public interest litigation on this issue. The Lucknow Bench of Allahabad High Court has doubted the validity of successive repromulgated ordinances according special status to Urdu language. A judgment reported in AIR 1949 Dacca 33 (Tamizuddin Ahmad vs. Province of East Bengal) provides judicial precedent and inspiration for Dr. Wadhwa's thesis.

13 years 11 months and 19 days up to December 31, 1981. There are many ordinances on the statute book of Bihar which have lived on the artificial respiration of repromulgation year after year. Judges, lawyers and law officers have known it all along, but it took an economist (alas, neither a lawyer nor a law teacher!) to make a systematic study which shows what an unwitting travesty and fraud this practice of legislation by ordinances is in the State of Bihar. An ordinance is an easy way out. Over the years, the State of Bihar has become accustomed and habituated to this staple diet of ordinances. It has assumed the proportions of a malignancy which calls for judicial surgery and parliamentary post-operative care. Perhaps the Executive and the Legislature in Bihar should take stock of the situation and devote one whole legislative session of the Assembly exclusively to enact or discard repromulgated ordinances by adopting regular constitutional procedures.

Dr. Wadhwa is right when he calls upon the courts of law to brush away the cobweb varnish and to show the wicked deed in its true light. He also calls upon Parliament not to remain quiescent in this matter. It is well for all branches of government to remember the wise words of Julius Paulus (*Dig.* 1.3.29 : 204 BC), quoted by Dr. Wadhwa:

> One who does what a Statute forbids transgresses the Statute; one who contravenes the intention of a Statute without disobeying its actual words commits a fraud on it.

—L. M. SINGHVI

India and America : Essays in Understanding
K. R. NARAYANAN, Washington D. C., Embassy of the Republic of India, 1984, pp. 161.

One of the best and most articulate Ambassadors of India to the United States, the Hon'ble K. R. Narayanan, has published a compilation of his selected speeches delivered during his three-year tenure as Ambassador of India to the USA. The author's major purpose in printing this volume is to underscore the ties that bind India and the USA in the pursuit of peace and freedom and to clarify issues that have often served as stumbling blocks to understanding between the two well-known democracies.

In the reviewer's view, Ambassador Narayanan has considerably attained his stated purposes. His book explains in a clear, coherent, and comprehensive manner some of the fundamental ideas that have guided India's national and international role as a democracy and as a member of the community of nations. The themes range from Narayanan's brilliant exposition of India's non-alignment policy to that country's bold experiment

in democratic nation-building. He writes about the gains and pains of India's economic, political, and social transformation against the divisive forces of caste, religion, language, and ideology, among other factors. He elaborates on the pivotal role of the late Dr. Ambedkar (the leader of the Untouchables or what Mahatma Gandhi calls 'Harijans') in the framing of the Indian Constitution and in fighting for the noble cause of the Harijans. He underscores the role of the United Nations in preserving world peace and the part played by non-aligned nations such as India in serious efforts to help maintain that peace.

This book is important, in the reviewer's view, for three related reasons : First, the book summarises succinctly the fundamental premises of India's foreign and domestic policies, especially with respect to non-alignment and democratic modernisation of India.   Second, the volume is one of the few books written by Ambassadors that give us what anthropologists call "the emic view" (the insider's point of view) as against foreign Ambassadors (such as Chester Bowles and John Kenneth Galbraith) writing about India and its foreign and domestic relations. Third and finally, scholars and lay-persons will undoubtedly profit from Ambassador Narayanan's humour, wit, and wisdom and his commonsense approach to problems that involve humanity as a whole—war and peace, economic and social progress, social justice, national integration, education, space and technology, among others.

Ambassador Narayanan and the Republic of India are to be congratulated for this timely, substantive, and interesting book.   Scholars and students of politics, economics, international relations, sociology and anthropology, history, and related subjects should read this volume to attain a measure of understanding of Indo-US relations.

—Mario D. Zamora

Theory of Local Government
M. A. Muttalib and Mohd. Akbar Ali Khan, New Delhi, Sterling Publishers Pvt. Ltd., 1982, pp. 271, Rs. 100.00.

The need for Indian text-books of high quality on various subjects of study, especially in the field of public administration is very acute.   Most of our training programmes are based on literature from USA or UK. Even though these books may be of high quality, these are not found quite suitable for teaching public administration in this country as these do not take into account the situations and problems here.   Public administration is a field where borrowed wisdom is of little avail.   We must analyse our own problems and institutions and formulate our own conclusions and solutions and we need use these in course of the practice of public adminis-

tration in the country. Unfortunately, much remains to be done in this direction. It is, therefore, a matter of satisfaction to see publication such as the one under review which is based on a study commissioned by the University Grants Commission as a part of the scheme of preparing quality books for Indian universities.

As the authors themselves point out in the introduction, though title of the book is "the Theory of Local Government" it focuses on comparative profiles of various practices and precepts in the field of local government in India and other countries including Great Britain, France, United States of America, West Germany, Japan and Union of Soviet Socialist Republics.

The study covers both rural and urban local government institutions which are of great importance in India even though they seem at present to be at the low ebb. However, in a country as large as India, it is only the local government institutions which are close to the people and provide opportunities to the citizens for direct participation in administration.

Both panchayats and municipalities in India have behind them a long history. Lord Rippon's famous resolution on decentralisation on May 18, 1882 provided the starting point of policy for promoting decentralised institutions. After independence, panchayati raj was introduced with great fanfare with the blessings of Pandit Jawaharlal Nehru, in the year 1958, as a programme of transferring power to the people. However, after years of enthusiasm, the panchayati raj institutions fell in a state of suspended animation. The urban local government institutions are also in a bad state, many of them having been suspended by the state governments. However, despite the setbacks, fundamental importance of these institutions, remains and both teachers and practitioners of public administration need to give sustained attention to the study of various aspects of these institutions. As such, the book under review would be of considerable use as a comprehensive text-book on the subject.

The first chapter of the book deals with what is called the focus and locus of local government. As local government is concerned with local problems, it has to deal with needs and problems, both social and economic, of the local people. There cannot be real democracy without self-governing local institutions. Local institutions are grassroot democracies. Increasingly, they can also contribute to nation-building activities. They can fill up the gap between people and the State and national government. They can be a source of political education to local people. They can reduce unresponsiveness and red-tapism of bureaucracy. However, the people have to appreciate the value of local autonomy if local institutions are to succeed. Local institutions are not to be seen, in any way, as contrary to the exercise of authority of the state and national governments. Rather, the more relevant aspect is of partnership between local government and higher level, especially in the context of the nation-building programmes for dealing with social and economic problems. However, local government can

take deep roots only if the soil is fertile for the growth of democratic institutions.

The local government can participate in programmes of eradication of poverty and illiteracy in community development programmes, slum clearance and slum improvement, promoting interests of the weaker sections, besides the traditional fields of education, health, housing, transport and communication. Local institutions can help the process of planning from below and can be partners in decentralised development.

The local institutions have suffered a setback because of mushroom growth of specific agencies like, the City Water Board, Slum Clearance Board, City Housing Board, City Transport Authority, Urban Development Authority, and Urban Finance Corporation.

There are different patterns of local government. The English pattern is characterised by decentralisation, legislative dominance, committee system, multi-purpose activity and voluntary citizen praticipation. The French pattern is known for centralisation, chain of command, hierarchical structure, executive domination and legislative subordination. The Soviet pattern is characterised by Communist Party control under the principles of democratic centralism, hierarchical chain of command and wider governmental powers. The British pattern has influenced countries in South Asia, Australia, Africa and North America which earlier formed a part of the British empire. The French pattern has influenced Western Europe and countries in Western Asia, North Africa and South America which were former French territories. The Soviet pattern has served a model for East European socialist countries.

India may be said to have her ancient pattern of village communities which were described by Sir Charles Metcalf as "Republics having nearly everything they can want within themselves". However, the old tradition weakened when the British introduced centralising tendencies during their rule. The British created the new pattern of urban and local institutions. The first local authority set up in 1687 in India was the Corporation of Madras which was occupied by the British, but it did not survive long. The Charter Act of 1837 was the first statutory enactment regulating in municipal administration. Lord Mayo took concrete steps for financial devolution with his Resolution of 1870. The real landmark in the emergence of local self-government was Lord Rippon's historic Resolution of May 18, 1882 which propounded countrywide local government. Then came the Royal Commission on Decentralisation in 1906, on the basis of which Government of India issued 1915 Resolution. The next landmark was the Declaration of August 1917 promising responsible self-government of India through self-governing institutions. In pursuance of the Government of India Act 1919, local self-government was brought under the charge of popular provincial ministry.

After independence, local government pattern or rather a part of it got

a place in Article 40 of the Constitution which stated : "The State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government." The Five Year Plans also gave an important role to the panchayats by associating them actively with the process of development. The community development programme and its evaluation by the Balwantrai Mehta Committee gave rise to the three-tier structure of panchayati raj institutions. Various state governments embarked upon legislative measures to establish the panchayati raj system, which was later described by Asoka Mehta Committee as the democratic seed drilling in the Indian soil. The Asoka Mehta Committee recommended the concept of 'mandal panchayats' for a cluster of villages.

While panchayati raj received considerable attention after independence, the urban local bodies which had given a better account of themselves in the pre-independence era did not receive commensurate attention of the reformers. However, the rapid growth of urbanisation which exposed the inadequacy of municipal services compelled the authorities to give attention to the urban problems. Following recommendation of the Rural-Urban Relationship Committee in 1963, urban development authorities have been established. However, as a result of supersession, both rural and urban local government institutions are going through a period of crisis of confidence and lack of identity and credibility.

One of the problems in the constitution of local authorities is the size of the unit of local government. Larger units are often recommended because they can attract better personnel and ensure effective administration. However, the larger the unit the greater is the distance between the citizen and the unit and hence accessibility and viability have to be blalanced in determining the areas of local authorities.

Larger the size of the unit, larger is also the size of the council of elected representatives of the local authority. The largest City Council of the World is that of Moscow which has approximately 1400 council members. Such a large council will be quite unwieldy. Small councils are much better for purposes of consideration of issues like laying of roads, provision of public utility services or construction of buildings which cannot be coherently discussed in large bodies. The councils have to be elected bodies but the elections can be held by wards or people at large or combination of both. The term of the Council varies from 2 to 4 years in USA, three years in UK, 4-5 years in India, six years in France and 12 years in West Germany. Comparatively, longer terms enable councillors to gain experience and provide better services to the people.

The Presiding Officer of the Council is the chief of the organisation. He is often the ceremonial head. In any case, he approves the agenda, preserves orders, entertains motions, and refers measures to appropriate committees. In some situations, Mayor is also the Chief Executive as is the case

in America which has a strong Mayor having powers to appoint and remove municipal staff. The French Mayor is also the agent of the Central Government.

The powers of the council are legislative, administrative, financial, investigatory and judicial. The committee system is characteristic of the English local government. The committees are devised for reducing the burden of the local council and ensuring wider participation of the councillors in decision-making. The Indian local government has also followed the system of government by committees. These committees may be standing or ad hoc. They may be functional committees charged with specific functions like education, health, licence, etc. or there may be zonal committees operating areawise rather than on functional basis. The zonal committees are also known as ward committees. There is a tendency to reduce the number of committees. Even in UK the Maud Commission and the Bains Committee have suggested a drastic cut in the number of committees. Sometimes members are co-opted to the committees in order to make use of their experience. Local government in UK is characterised as government by the committees. The committees are in intimate and frequent contact with administration and emerge as decision-making centres. The Standing Committee often assumes the role of the political boss or the Chief Executive Officer. On the other hand, committees consume a lot of time of the officials. Their involvement in detailed administration exposes the administration to excesses of local democracy in a shape of favouritism and nepotism.

The local executive may consist of an elected official as in the American system of strong mayors and city managers. On the other hand, the British and Indian Mayors are only ceremonial heads. The European municipalities have strong political chiefs. They offer administrative leadership. The German and Dutch Bargomasters are political executives, but they have acquired professional expertise in administration. The French Mayor is a political agent of government who offers strong administration to local government. In India, the executives are government appointed, whether they are chief executive officers or municipal commissioners. The executive has to be professional if he is to be effective. A political executive is an amateur and may not be effective.

The impoverished state of finances is a sad feature of most of local authorities in developing countries. Decentralised local governments as in UK or USA have greater degree of financial autonomy as compared to those following a deconcentrated pattern as in France. The inadequate local revenue and increasing expenditure attracts government interference, resulting in erosion of local government autonomy. Bombay Municipal Corporation is an example of local government institution with financial soundness. With increased involvement of the units of local government in nation-building activities, the flow of government grant-in-aid has increased. But

main sources of revenue of the local authorities are property tax, professional tax, entertainment tax, and tax on vehicles and terminal taxes. These taxation powers are not always utilised because of the reluctance of the local bodies to enforce taxes.

The local civil service does not have the status and image of the national civil service. In Britain, conditions of service are standardised by association of inter-governmental agencies. In India and France, services of officers dealing with the State service are available to the local bodies. While in UK the local authorities regulate the management of service through bye-laws, in India the State Government regulates the higher echelons of local service through rules and regulations. In England, the Town Clerk is recognised as head of local-self government. The patterns of personnel management in local government have been described as unified, decentralised, and integrated. The local government servants are provided in-service or on-the-job training. The aim is to reconcile values of efficiency with those of democracy in local government, which govern the relationship between the elective and the permanent functionary.

In recent years, thinking about autonomy of local institutions has moved towards the concept of partnership. Local authorities are involved in nation-building activities and this has revolutionised the concept of functions of law. There is a greater amount of interdependence between government and local authorities for attaining common goals. But this has meant incursion by the government on the sphere formerly left entirely to local authorities. The government plays promotional, preventive, punitive and reformative roles in relation to local government.

Thus, all important aspects of local government are covered in the book under review. It can serve as a good text-book on the subject of local government. However, the teacher cannot entirely rely on this book for dealing with the reality or the practical situation or problems. For this, he has to draw upon live case studies portraying experiences of various local authorities.

—P. R. DUBHASHI

Social Research Methods
MARK ABRAHAMSON, Englewood Cliffs, N. J. Prentice Hall, 1983, pp. 413, $ 28.95.

In every branch of social science, the ongoing relationship between abstract theory and concrete research is becoming complex, leading to diverse methodological interpretations. Theory suggests the future directions of research and provides a framework within which research is to be interpreted. As a matter of fact, any abstract perspective fulfils the functions

of theory to some extent. However, the more formal the structure of a theory, the more direct its connection with research.

The author has attempted in the present volume to integrate research methods with other portions of the sociology curriculum, combining theory and practice. A number of theoretical and conceptual issues have been taken up for discussions, some familiar and others less covered in the text-books of research methods. One full chapter has been devoted to discussion on how to assess accuracy and honesty of self-reports of individuals. There is also relatively extended treatment of secondary data sources—sample surveys, data sets, census documents, occupational directions, etc. The argument has been divided into five parts containing 18 chapters.

Part One explores the kinds of dilemmas that researchers confront while pursuing scientific research. Considerable light has been shed on the ethical and value context within which scientific research is conducted.

Part Two concentrates on utility and interpretation of statistics carefully avoiding details and formulas or derivations. Measurement alternatives, modes of analysis, special problems of interpretation and inferences have been taken up within the overall umbrella of techniques and procedures.

Part Three takes up the content and form of research design and the possibilities of combining diverse strategies. Separate chapters have been devoted to sampling and sample surveys

Part Four focuses explicitly on the way information is obtained from people and the author tries to objectively examine the relative advantages and disadvantages of various ways of exploration and asking for information as well as the accuracy of self-reported information including ways of its assessment.

Finally, the end-product—outlining the format of research report with suggestions for appropriate writing style have been explained. The author cautions researchers against the use of contractions, slang expressions and first-person references and recommends that both tables and the narration should be reasonably self-contained and free from contemporary jargons.

On the debit side, the book tries to cover too large a canvass resulting in summary 'trial' of some basic concepts. For example, the researcher has to rely upon inference which in turn is constrained by sets of rules that define what kind of evidence is admissible. Research designs represent the strategy by which the researcher systematically obtains data in order to test a hypothesis. The author has devoted very little attention to define and discuss 'hypothesis' and related issues. The information on applied research and research careers is inadequate. Discussion about 'Questionnaires' in chapter XIV is pedestrian.

The market today is flooded with every type of publication but one rarely comes across good text-books on research methods. If the author had extended the frontiers of discussion beyond the narrow confines of sociology

to cover social sciences in general, the utility of the book would have increased manifolds.

It is a refreshing book on a somewhat dry subject but is not likely to tax students mind as its high price will keep it away from their hands. However, if the publisher brings out a suitably priced paperback edition, the book is sure to reach more readers and stay in the market much longer.

—SUDESH KUMAR SHARMA

Elite and Urban Politics (A Case Study of Delhi)
VIJAY LAXMI PANDIT, New Delhi, Inter India Publications, 1983, pp. 235. Rs. 110.00.

One of the classic arguments advanced in favour of local self-government institutions is the need to identify and promote growth of local leadership which can, in course of time, assume governmental responsibilities at higher levels. In this sense the local self-government becomes the nursery of democracy and helps one to appreciate the national concern for municipal politics and development during the British rule. We are aware that leaders like Tilak, Mehta, Gokale, C. R. Das, J. N. Sen Gupta, Jawaharlal Nehru, Rajendra Prasad, Subhash Chandra Bose and many others got involved in municipal politics. Though the leadership from a historical angle has been elitist, it did help generate consciousness at other levels of society.

In a traditional society like ours seeking social, political and economic transformation leadership has not only to lead the country but also to perform, far onerous task in guiding, moulding and glavanising the people. The book under review is a case study on elite profile in operation at the municipal level. The author has choosen Delhi, the national metropolis, to find out the educational, socio-economic political and organisational background of the municipal elites and to examine the extent of influence their background had on their ability to function as efficient and able leaders. The grassroot political systems are characterised by skewed power structure, traditional social hierarchy, lack of public spirit and elitist domination. Leadership to succeed must break these strangleholds on the Indian polity.

In the first chapter the author has discussed theories on elite adumbrated by different scholars. In short, they can be classified either as 'structuralists' or 'functionalists'. The former considers elite position "as a special trait or set of traits, residing within the person as a constitutional part of the personality structure, while the later tend to view elite as a functional ally of the situation". The author has discussed the various elite styles of functioning, *viz.*, positive and negative, authoritarian and democratic.

In chapters two and three, Smt. Pandit has dwelt at length on the situational setting of Delhi Metropolis and the organisational set-up of Delhi Metropolitan Council.

The discussion at length on the socio-economic background and political socialisation of local political elites of Delhi has been made in chapter four. Taking into account the personnel of three successive metropolitan councils, the findings reveal that while the middle-age group has been able to maintain a steady hold, the younger-age group is being gradually replaced by the older-age group. This finding is striking and shocking too because everywhere there is a cry for young and better leadership. However, surprisingly this explanation is not corroborated by Table 4.1 (p. 71). Another discouraging fact which comes out of this study is the minimal representation of women on metropolitan council. As regards occupational break-up, the study shows that lawyers, teachers and social and political workers dominate the scene. However, it is heartening to note that political parties take keen interest in metropolitan politics as is reflected from their representation on metropolitan council.

Chapter five provides a lively discussion on political communication between local elites and masses.

Chapter six shows that the local political elite operated not at a very broad level and quite often their elitist character emerged rather sharply. Though they were not concerned with special interests and pressure groups but instead of promoting general and common interests they showed more enthusiasm in taking up individual cases and grievances with the metropolitan administration. In discharge of their municipal functions, they did not show proper sensitivity to public needs and demands and did not espouse popular causes. What is required is that the leadership should be sensitive, highly conscious of its role, public spirited and exert the right influence. This trait, however, is found in very few councillors.

As the study points out, the awareness of local political elites of the national objectives was mostly subjective. The explanation for such a depressing awareness, put forward by the elite, is not quite convincing.

On the whole, this is an interesting study and covers new ground. However, there is need for many more such studies in other parts of the country to facilitate observation of institutionalisation of political processes taking place in India.

—S. N. MISHRA

State Politics in India
JAWAHARLAL PANDEY, New Delhi, Uppal Publishing House, 1982, pp. 210, Rs. 90.00.

Political Scientists in their earlier writings on the phenomenon of coalition devoted little attention to various dimensions of coalitions and contented themselves with the well-known generalisations of the classical authors like

Lowell, Bryce, Laski and Duverger, who argued that "coalition government is a weak government and leads to unsatisfactory compromises and political instability". Their conclusion on this subject mainly indicated that : (1) two-party system produces more stable government as compared to multi-party system, and (2) single-party cabinets were more durable than coalition cabinets. Recently, there has been a growing concern among the social scientists interested in analysing the complexities of political life in modern democracies. Contemporary political scientists influenced by the application quantitative method and inter-disciplinary approach have contended that "multiparty coalitions are not necessarily unstable and ineffective". Much of the writings on this new area has been inspired by the pioneering work of Von Neumann and Margenstem on the theory of games. Of late, attempts have been made by various scholars to construct models and theories of coalition in the language of logic and mathematics to represent the laws that explain the coalitional behaviour in various settings. The formal theoretical studies on the coalitions can be broadly categorised as under : (1) social-psychological studies, (2) the game theoretical studies, and (3) the political empirical studies.The study under review falls in the last category.

In India, with the rare exception of a few months of coalitional experiments in the state of Orissa, Kerala and Tamil Nadu (then known as Madras state), coalition governments were almost unknown to the people of other parts of country up to 1967. The disappearance of the Congress hegemony in 1967 resulted in the emergence of coalition governments on a larger scale. Almost every corner of the Indian Republic came under the influence of united fronts, Sanyukta Vidhayak Dals (SVD) or coalition governments for some time or the other. Between 1967 to 1972, there have been more than 30 coalition governments in Indian states. The widely differing coalition experiences that the Indian states have undergone provide abundant opportunity for the examination of coalitional process and behaviour in India. Among all the states, Bihar presented the most puzzling spectacle of coalition behaviour. During 1967-71 as many as nine governments were formed by the Congress and the non-Congress parties, one mid-term poll was held in 1969 and the President rule was imposed thrice. This fluid situation continued till the trend was reversed by the mid-term poll of 1972. The book under review (a revised version of the Ph.D. thesis of the author) focuses on coalition politics in the State of Bihar.

Jawaharlal Pandey, however, opts to concentrate his analysis only on the first United Front Government in Bihar lasting about 327 days comprising over seven political parties, headed by Mahamaya Prashad Sinha. Pandey begins by delineating the existing conceptual frameworks of the study of states politics in India. He finds them inadequate to be applied in this study as according to the author, "each of them suffer from obvious limitations" (p. xx). The author contends that to penetrate into the complex problem of coalitional process in India, one will have to approach the subject from

'state perspective' and adds a new conceptual dimension by treating "the state as a constituent unit within a larger system" (p. xxi) conditioned by institutional, structural and socio-political determinants. Placing the subject in this context, the author proceeds to analyse the formation and operation of the first coalition government in Bihar within the institutional framework and traces the factors accounting for the destabilisation of the political process in the state.

Basically there are two important questions associated with the study of coalition : (*i*) How coalitions are formed?, and (*ii*) how they are sustained? The first question concentrates attention primarily upon the strategies followed by the constituent partners in coalition situation which allow them to gain power. The second question focuses upon the retention of power and factors necessary to maintain stability of the relationship among the partners over some period of time.

Dr. Pandey has attempted to answer both the questions in his book. He notes that the great debacle of the Congress Party in 1967 "presented an opportunity to the hitherto political havenots, *i.e.*, the non-Congress political parties and groups to taste the fruits of power... (p. 159)". "But the heterogeneous and amorphous nature of the united front could not project their image different from their predecessor, and the system continued to remain a victim of non-performance... and the pace of instability was accelerated" (p. 160). Dr. Pandey further states that highly fragmented party system; internal contradictions of the coalition partners; personal ambitions of their leaders; non-performance of the government; unprecedented mobilisation of lower middle class and lower castes; lack of effective leadership; and breakdown of consensus contributed for the atmosphere of instability in the state.

Though the analyses presented in the book are contextual and confined to a limited scenario of a single government in a state, yet they are relevant for understanding the coalitional processes in other states because of similarities. The book is a pioneering attempt to study the formation and functioning of coalition government and serves as useful introduction to students, researchers and scholars on the subject. Written in brief and lucid style, it provides lot of significant insights on the subject, on the basis of lot of data gathered from primary and secondary sources which speaks for the pains taken by the author.

In fact, the Indian political system embodies a great diversity of coalition governments, such as grand coalitions, minimum winning coalitions, coalitions with ideologically like-minded parties of 'Right' and 'Left', coalitions consisting of parties with disparate ideolgies, coalitions of regional and communal parties with national parties to implement agreed common programme, etc. As such, Indian States can serve as the most fascinating laboratory for testing the broad spectrum of theories of coalition-formation and maintenance propounded by various scholars. It is, therefore, hoped

that in future like Dr. Pandey others will also contribute in this important area of study.

—B.K. SHARMA

Population Policy and Compulsions in Family Planning
VASANT P. PETHE, Pune, Continental Prakashan, 1983, Rs. 45.00.

The author has attempted to show in the book the distortions resulting from the western conceptual approach, neo-Malthusianism and the multifarious biased ways of viewing the population problem. He is of the opinion that compulsions in family planning will have far-reaching implications for human freedom and welfare and there is danger that they might lead the policy-makers to hazardous situations.

The book has a 70-page preface—a unique contribution by the author—wherein he emphasises that the argument regarding problem of population growth is not merely one of appropriate economic development but also of social transformation and social change: the problem is not merely one of numbers but of quality.

The main concern of the study has been to scrutinise in depth the various fundamental issues and considerations relating to population policy involving authoritarian traits in the form of compulsions in family planning. The efforts are made to investigate the basic reasons for the predicament of India's population policy especially since the internal emergency (1975-77) and to explore fresh perspectives and possibilities of sound and workable policy interventions for the future.

The book is in three parts. Part I contains several chapters which are devoted to fullfledged analysis and evaluation of the fundamentals of the policy model based on compulsory family planning. Part II relates to foundations of India's population policy which have been examined *vis-a-vis* the population policy models—one involving compulsions and the other involving voluntary family planning. Part III gives the official texts of various relevant government documents and policy declarations.

The central theme of the book relates to analysis of the basic issues concerning compulsions in family planning. Prof. Pethe favours voluntary acceptance of family planning and propagates that every effort should be made to make the right to family planning a reality by appropriate policy interventions. He feels that unless the neo-Malthusian foundations of our population policy are removed once and for all, our population policy and the family planning movement would always be exposed to the risks of drifting towards the dangerous path of adopting more and more drastic or stringent measures, ending in stark compulsion. The present situation, according to him, provides us with a challenge to resurrect the programme

and to think afresh about the foundations of population policy in general and family planning in particular. The first step in strengthening the movement would be to have a national consensus on the basis of the population policy, cutting across narrow party politics, founded on sound philosophy and principles underlying the population policy so that a sound action programme in family planning can be resurrected.

Integration of policies concerning population and social transformation along with short-term policy interventions, such as reduction in infant mortality, employment and social security programmes, equality and distributive justice, and adoption of long-term developmentals measures such as rapid modernisation of production processes, generating aspirations for a prosperous worldly life, and reversal of inter-generational flow of wealth, can work miracles. There is no place for short-cuts. If introduced, these are bound to do great damage to the programme. Voluntary family planning model has a progressive and dynamic orientation because social transformation and social justice are its very foundations.

Prof. Pethe's study is highly stimulating and thought-provoking. He paves way for looking at the population problem with a new and clear vision. The book would prove extremely useful to scholars interested in population problems, students of political economy, development economics, demography and sociology.

—SHANTA KOHLI CHANDRA

Nationalisation of Foreign Property : A Study in North-South Dialogue SUBHASH C. JAIN, New Delhi, Deep & Deep Publications, 1983, pp. 298, Rs. 125.00.

Expropriation or nationalisation is one form of taking private capital into public sector. State takes over private capital by creating monopoly, expropriating assets and by regulation of the activity of private capital including corporate capital. For such measures, terms employed are confiscation requisition, expropriation, creeping expropriation; depending upon the nature and extent of loss caused to the deprivee.

Expropriation in one form or the other is admitted and practised by all states, either as regards the property of their own nationals or of foreigners established in their territory. Insofar as measures of expropriation only affect the nationals of the State carrying them out, they are of no interest from the point of view of positive international law, which in no way limits state jurisdiction. On the contrary, expropriation or nationalisation, which affects aliens' interest is recognised as subject-matter of positive international law in the treatment of aliens, state responsibility, state succession, concession agreements and in a variety of other aspects. The international

community has faced the issues connected with expropriation at one stage or the other involving intricate points óf law aι. d politics. To take a few examples, in 20th century, Mexican expropriation decrees (agrarian and oil); Soviet nationalisation laws; Egyptian nationalisation of Suez Canal Company; Cuban expropriation of American interests and Indonesian dccrees affecting Dutch interests—all affecting aliens' economic interests, posed a serious threat to the maintenance of international peace and security, as conflicting claims were advanced by opposing parties. A nationalisation decree affects inter-state relations in many ways but we are concerned primarily with legal issues involved therein.

In this scholarly work on "Nationalisation of Foreign Property", Dr. Subhash C. Jain makes a comprehensive treatment of the subject in seven chapters. Out of these the prominent and in depth studies have been done in chapter III and chapter VI, particularly. Chapter one is in the nature of introduction and examines the issues such as right to nationalise, the concept of expropriation, concession contract and expropriation, conditions precedent to expropriation in traditional international law and local remedies rule. Chapter two examines an important aspect of the problem that is the concept of expropriation. Here the author systematically draws a clear-cut distinction between expropriation and nationalisation, expropriation and requisition, expropriation when it amounts to confiscation and the instances of indirect expropriation or what is called creeping expropriation. Though the author (p. 20) states that for the sake of convenience the terms expropriation and nationalisation have been used interchangeably, yet he also discusses the views of eminent jurists on the subject as to whether or not there is any distinction between the two.

In the most important Chapter III on "Concession Contracts and Expropriation" Dr. Jain makes a comprehensive analysis of the concession contract in historical perspective. Dr. Jain rightly points out (p. 49) that the weak and comparatively undeveloped countries of Asia, Africa and Latin America were forced to part with their natural resources, such as minerals,tea, rubber, and tobacco plantations etc., in the form of concessions, in order to fulfil needs of the western colonial powers for raw materials. The author further states (page 61) that after attaining independence it became their (the countries of Asia, Africa and Latin America) foremost pre-occupation to regain control over resources grabbed by foreign powers or concessionaires under agreements or contracts not based on satisfactory *quid pros quo*.

In the next chapter, the author has exhaustively discussed the conditions precedent to expropriation in traditional international law. The author states that legal limitations or conditions subject to which alien property may be expropriated under traditional international law are : (1) public purposes; (2) payment of "full, prompt and effective compensation", and (3) non-discrimination. However, the author points out that the limitation regarding compensation as formulated by the western countries is not

acceptable to the developing countries. His treatment of North-South dialogue on the issue of compensation is incisive and deserves special attention. Important aspects discussed in this chapter include the issue of lumpsum compensation agreements, expropriation without compensation and the issue of non-discrimination.

Chapter V of the book examines the issue whether the home state of the foreign national could protect the interests of its national and, if so, how? In traditional international law a rule developed that the aggrieved foreign national should exhaust the legal remedies still available to him under national law of the expropriating state. The rule known as "local remedies rule" has been discussed in appropriate sub-heads, such as, whether the exhaustion of local remedies rule is indispensable? Whether the local remedies rule is substantive in nature or procedural? In what circumstances the local remedies rule may be discarded and direct resort may be had to international tribunals or diplomatic protection? There is also a detailed discussion of comparative merits and demerits of the rule and the place of local remedies rule in contemporary international law.

In the following chapter, the author discusses the treatment of foreign investment in India. The author brings out India's policy on nationalisation of foreign investment and refers to statement made by the then Foreign Minister of India as early as 1959 (p. 232). It would have been useful if the source of this information had been indicated. Some areas where nationalisation of foreign property took place include the take over of local mining lands and rights under the Coal Bearing Areas (Acquisition and Development) Act, 1957; the nationalisation of general insurance under the General Insurance Business (Nationalisation) Act, 1972; nationalisation of three oil companies operating in India, *i.e.*, Burmah-Shell, Esso and Caltex. After referring to these instances of nationalisation of foreign-owned property in India the author rightly concludes (p. 240-41) that principles of international law even by traditional standards have been adhered to by the Government of India. The next part of this chapter relates to the nationalisation of Indian property abroad. Since Indians are settled abroad in large numbers and there is no systematic study which has been made regarding the nationalisation of Indian property abroad, Dr. Jain has made a significant contribution to the legal literature by making such study. The author has examined the expropriation of Indians' property in Burma, Uganda, Portugal and Mozambique, Tanzania, Ethiopia and Bangladesh.

Lastly, book is very readable and can rank in the line of works done on the subject by White, Wortley and Friedman. Select bibliography given by the author at the end of the work adds to the value of book.

—K.N. Chaturvedi

Government of West Bengal, Report of the Administrative Reforms Committee: Observations and Recommendations

1. INTRODUCTION

1.1. By a resolution dated September 10, 1982, the Government of West Bengal set up the Administrative Reforms Committee with Dr. Ashok Mitra as Chairman and Shri Somnath Chatterjee, Bar-at-Law, M.P., and Shri R.N. Sengupta, Home Secretary, Government of West Bengal, as Members. The terms of reference of the Committee were:

(a) to appraise the present structure of State Administration and recommend proposals for speedier disposal of work;

(b) to recommend administrative arrangements for effecting adequate co-ordination between the different Departments of the Government as well as between the State and District Headquarters and Blocks;

(c) to recommend measures for improving the quality of district administration, keeping in view the need for adequate co-ordination between different official agencies in the Districts including Local Bodies;

(d) to review the West Bengal Service Rules the West Bengal Rules of Business and the West Bengal Financial Rules with the objective of improving the pace of implementation of Government decisions consonant with public accountability; and

(e) any other relevant matters.

1.2. The Committee was asked to determine its own procedure and was requested to submit its report preferably within a period of six months. Shri S. Goswami, Excise Commissioner, and Shri K. K. Dasgupta, Secretary, Standing Advisory Committee on Government Corporations, were appointed to serve, in addition to their duties as Secretary and Deputy Secretary respectively to the Committee. It started work in December 1982 and met a number of ministers, political leaders, MLAs of different parties, officers, Sabhadhipatis of Zilla Parishad, District Magistrates, etc., and received a number of notes and memoranda.

2. RE-ORGANISATION OF DISTRICTS, SUBDIVISIONS, BLOCKS AND POLICE STATIONS

2.1. The size and composition of basic administrative units have a considerable influence on administrative efficiency. This is particularly relevant in the context of the goal of progressive decentralisation the Government of West Bengal has set for itself. Both the area and the population of an administrative unit should be such as not to cause strain on the machinery of administration. The matter thus calls for a process of continuous review on the part of the authorities.

2.2. A decision has already been taken at the State level to bifurcate the district of 24-Parganas. The implementation of the decision has been held up, presumably because of financial constraints. The Committee would urge that further delay in the matter be avoided, and that the re-organisation of districts proceeds further. Given the

developing complexities in district administration and the necessity for the closest under-standing and co-ordination between it and the panchayat institutions, the optimum size of a district, the Committee feels, should be determined in terms of a total population size of 15 to 20 lakhs. On this criterion, there is scope for even doubling the number of dis-tricts in West Bengal. While this could be a long-term goal, for the present in view of the problem of resources, the State Government will obviously have to proceed with cir-cumspection. It however ought to be considered whether, apart from 24-Parganas, the present districts of Midnapore and Burdwan too may not be further divided in the course of the next five years. There may also appear to be a strong case for shifting the seat of district administration for West Dinajpur from Balurghat to Raiganj.

2.3. To improve the quality of administration some of the bigger sub-divisions may also be further split. In the more recent period a number of new sub-divisions have been created, such as Kalyani. There may be a case for establishing more such sub-divisions, for example, Kakdwip and Baruipur in 24-Parganas and Garbeta, Digha, Kharagpur and Haldia in Midnapore. A Committee of Secretaries may go also into the question whether some of the bigger-sized blocks and police stations too may not be reorganised.

2.4. The Committee would suggest that as far as practicable blocks, police stations and revenue units should be made coterminous.

2.5. The designation of the principal executive authority in the districts of Darjeeling, Jalpaiguri, Cooch Behar and Purulia as Deputy Commissioner is a historical anachronism. The convention may be dispensed with.

3. RE-ORGANISATION OF DEPARTMENTS

3.1. One obvious means for improving administrative efficiency is to restructure the government departments in such a manner that the principle of homogeneity of functions is fully served. This will ensure better co-ordination thereby eliminating duplication of efforts as well as waste of resources. This will mean bifurcation of some departments or transfer of some units from one department to another. But it may also occasionally call for merger or amalgamation of units or departments. The Committee's suggestions in this regard are set forth below.

3.2. To begin with, the nomenclature of some of the departments deserves to be chan-ged. The umbilical link between the Home Department and the State Government's specific responsibilities in the sphere of transport has long been snapped: the Depart-ment of Home (Transport) should therefore be called the Transport Department. It may also be made responsible for ports and harbours, shipping and navigation, inland water-ways, lighthouses, beacons etc., as well as the carriage of passengers and goods.

3.3. The Home (P. & A.R.) Department should similarly be re-named as the Personnel and Administrative Reforms Department with immediate effect, and be organically sepa-rated from the Home Department. This department will have the general responsibility for personnel administration in the entire government. In the allocation of government business ,the responsibility for control and management of All-India and State Government services, the State Public Service Commission and State pensions, liaison with the Union Public Service Commission, professional, vocational and technical training, etc , should be transferred to the Department of Personnel and Administrative Reforms. In other words, item 4 of part I of Home Department's functions in the Rules of Business, along with item 3 in part I, items 1 and 2 in part II and items 1 and 2 in part III of the Finance Department's responsibilities should belong to the Personnel and Administrative Reforms Department.

3.4. The basic issue is to ensure that a broad homogeneity obtains between the various activities undertaken by a department. Thus viewed, there is a strong case for bringing to an end the present amorphous state of the Department of Public Undertakings, which exercises administrative control over a number of state enterprises whose activities belong

to qualitatively different areas. While some discussion on the matter has taken place in recent years, the actual transfer, for example, of Durgapur Projects, essentially a power-generating unit from this Department to the Department of Power has yet to be effected; this transfer should take place immediately. Both the West Bengal Agro-Industries Corporation and the West Bengal Warehousing Corporation should similarly be transferred to the Department of Agriculture. An ideal arrangement would be that the different units at present under the administrative control of the Department of Public Undertakings be transferred to the jurisdiction of the departments which are functionally responsible for the activities they are respectively engaged in; the residual units would come under either the Department of Commerce and Industries or the Department of Industrial Reconstruction. The opinion of the Standing Advisory Committee on Government Corporations may be sought while working out the details of these re-arrangements.

3.5. The various programmes for non-formal education, including adult education, should be brought under a single umbrella; the rational arrangement, the Committee feels, is to have these activities integrated in the Department of Non-Formal Education, Libraries and Cultural Affairs proposed below.

3.6. Although in practice the Department of Education has operated as two distinct departments during the past six years, a formal division of responsiblities is yet to take place. This formality should now be completed and necessary orders issued to set up a Department of Higher Education as distinct from the Department of Primary and Secondary Education.

3.7. There appears to be a strong case for bifurcating the Department of Information and Cultural Affairs. The dissemination of information at the national, State, district, block and village levels is increasingly assuming a significance of its own. The Committee would therefore suggest the establishment of a separate Department of Information, preferably under the direct charge of the Chief Minister. The responsiblity for pursuing cultural affairs could either be assigned to a separate department, or there could be a composite Department of Non-Formal Education, Libraries and Cultural Affairs. Such a department may also have the responsibility for archaeological affairs; State and district archives, the District Gazetteers, sanction of cinematographic films, the Victoria Memorial, etc.

3.8. Cinchona cultivation should be transferred from the Department of Commerce and Industries to the Department of Agriculture. The responsibility for insurance, stock exchange and future markets and post office savings bank, constituting items 18, 26, 29 in part III of the functions of the Department of Commerce and Industries in the Rules of Business should be transferred to the Finance Department.

3.9. The responsibility for the promotion and development of sports may be transferred to the Department of Youth Services, which may be re-named the Department of Sports and Youth Services.

3.10. The newly established Department of Environment has at the moment a nebulous existence. It should either be merged with the Department of Health and Family Welfare or, if that is not considered advisable, should be enlarged to form a separate Department of Environment, Sanitation and Water Supply with responsiblity for rural water supply, drainage, sanitation, smoke nuisance sewage disposal, and conservancy; the management of zoological grardens should be placed with this Department.

3.11. In subsequent sections, the Committee proposes to suggest a number of substantive changes in the organisation and working of both the Finance Department and the Department of Development and Planning. The proposed changes will of course call for corresponding changes in both the Rules of Business and the West Bengal Financial Rules; once the formal changes are decided upon, a Committee of Secretaries, under the chairmanship of the Chief Secretary, may be asked to work out the corresponding changes in Rules.

3.12. The departmental reorganisations suggested here would imply disturbing the

structure of a number of existing departmental establishments. It should be seen that existing seniorities are left undisturbed by creating shadow posts where necessary.

4. RE-ORGANISATION OF PUBLIC UNDERTAKINGS

4.1. A number of Ministers, Secretaries and other functionaries have drawn the Committee's attention to the conditions obtaining in the public enterprises currently owned and/or managed by the State Government. Any reorganisation of the administrative structure, in their view, should also include a rationalisation of these undertakings, so as to make them more efficient and cost-effective and to ensure that their co-ordination with the Government departments is more functionally meaningful. This objective can be achieved either by suggesting a re-ordering of the departmental links of the individual public undertakings—as has been done above—or by amalgamataing a number of units, or by abolishing some of the units whose long-term viability can be ruled out. The units, which are engaged in physical production and have prospects of becoming viable over the intermediate or long run, must however continue and should be adequately strengthened. A number of structural changes present but little problems and could be put into effect immediately. Our suggestions in this respect are detailed in the paragraphs that follow.

4.2. At present the West Bengal Small Industries Corporation is mostly performing the limited function of selling scrace raw mateirals allocated to the State Government by the Union Government's agencies. Its activities can be easily expanded to justify its outlay on overheads. It may be asked to assume the role of a holding company in relation to, apart from the West Bengal Handicrafts Development Corporation, also the West Bengal Handloom and Powerfloom Development Corporation and the West Bengal Leather Industires Development Corporation. The most cost-effective arrangement will be to initiate statutory changes which will enable the latter three units to be merged with the WBSIC. Similarly, the West Bengal Industrial Infrastructure Development Corporation, the Committee feels, should be merged with the West Bengal Industrial Development Corporation, which can also assume the responsibility for the West Bengal Sugar Industries Development Corporation, the West Bengal Tea Development Corporation, and the West Bengal Ceramic Development Corporation. Each of these corporations can operate as a wing of the WBIDC under its general direction and superivision. The Statutory changes called for can be effected, in case necessary, even through an ordinance and the terms and conditions of service of the existing employees in each corporation may be fully protected. A rationalisation of this nature will economise on the deployment of resources and also improve the prospects of attracting funds from financial institutions, including banks. It should be equally possible to merge the West Bengal Livestock Processing Corporation with the West Bengal Dairy and Poultry Development Corporation.

4.3. The Committee would suggest that the Standing Advisory Committee on Government Corporations be further consulted on such and similar mergers and restructurings.

4.4. The purpose of establishing public undertakings is to accelerate the pace of development. A substantial measure of autonomy should be an integral aspect of the function of such undertakings. While the Government's overall responsibility remains, it would be counter-productive if, on this plea, the undertakings are made to make a reference to the administrative department even on minutiae. It is to be expected that the agenda for a meeting of the board of directors of a public undertaking would be circulated sufficiently in advance, and representatives of the departments on the board should be in a position to express the authoritative point of view of the Department on any item of the agenda and would have normally no occasion to revise it subsequently.

4.5. It is also for consideration whether, with the take-off of the panchayat institutions, the continuation of the West Bengal Comprehensive Area Development Corporation is any longer necessary. The Corporation's activities may be frozen; its functions may be progressively transferred to the Zilla Parishads in each district.

4.6. One other obvious area of rationalisation may be mentioned. Now that Calcutta Metropolitan Development Authority has the exclusive responsibility for planning and execution of metropolitan development, there ought to be a gradual integration of its activities with those of the Calcutta Metropolitan Water and Sanitation Authority, the Calcutta Improvement Trust and the Howrah Improvement Trust. The CMDA may be asked to have a supervisory role with respect to the functioning of the latter agencies; there should be a unified programme and a common approach for all of them. While this may not lead to any immediate saving of administrative costs, it should ensure better integration of development planning in the metropolitan area and economise overhead expenses in the future.

4.7. For a number of other corporations, we are not recommending any immediate change in structure. However, in a number of instances such as in the case of the Forest Development Corporation and the Directorate of Forests, and the Tourism Development Corporation and the Directorate of Tourism, we have noticed a considerable overlapping of activities. In all such cases the Directorates may be abolished and their staff transferred either to the respective Corporations or to the respective Departments.

4.8. The Standing Advisory Committee on Government Corporations has been functioning for some years as part of the Chief Minister's office. It is unfortunate that is reports on the general restructuring of administration in the State undertakings and on the working of the individual units have not received adquate attention. This situation should be redressed. The staff position of the Standing Advisory Committee deserves to be augmented and its recommendations on the establishment of a pool of managers drawn from both within and outside government, processed with expedition.

5. FINANCIAL CONTROL AND THE ROLE OF THE FINANCE DEPARTMENT

5.1. Whatever reforms are ushered in, in the structure of administration, the role of the Finance Department as the principal co-ordinator of Government activities has to continue. The Control of finance, and the discipline which such control imports to the system, are crucial for efficiency in administration. The importance of such control is enhanced by the fact that in the present phase of financial relations between the Centre and the States, there is an acute need for the careful husbanding of the limited resources available to a State Government.

5.2. We are at the same time aware that the evolving relationship between the Operational Departments on the one hand and the Finance Department on the other can be a source of misunderstanding. Our attention has been drawn to the apparent inequity of the convention whereby amounts voted by the State Assembly under different heads for a particular department can be released only after a further round of post-budget scrutinies by the Finance Department. Such post-budget scrutinies, it has been argued, should occur only in extra-ordinary circumstances; the Finance Department should have no such prerogative in the normal course.

5.3. The controversy is basically the outcome of certain recent developments. For a number of years the Operational Departments have tended to under-emphasise the necessary technical, economic and financial apparaisals for new projects and schemes they want to incorporate in the following year's budget: the Finance Department has been persuaded to include such projects and schemes into the budget, and the Assembly has voted such demands. The qualms of the Finance Department have been subsequently raised by the often relatively unsound nature of many of these proposals; the scrutinies that were not done before the budget have become a post-budget feature, and releases have often been held up till such scrutinies have not been completed.

5.4. It has also been mentioned to us that departments have been in the habit of introducing new projects and programmes, in substitution of those incorporated in the budget

and thus altering the purpose for which funds have been voted, after the budget has been passed.

5.5. On the other hand, there is some validity in the contention that since the post-budget scrutinies tend to delay the implementation of schemes and programmes, it becomes difficult for the operational departments to keep to schedule, and budgetary appropriations are sometimes in danger of remaining unspent. Instances have been mentioned where slippages have occurred because of the late release of funds. There are also instances of heavy bunching of expenditure in the last quarter and, in particular, the last month of the fiscal year, the drawal of funds merely for preventing lapse of budgetary grants, keeping money in sealed bags in the treasuries or in time deposits with the banks, and diversion of unspent balance to the public undertaking under the administrative jurisdiction of a department.

5.6. The Committee has given some thought to these matters. It would like to propose a procedure which, while retaining the prerogative of financial control to be exercised by the Finance Department, should ensure that funds are released and used effectively all round the year and the operational departments are not hampered in their task of attaining the physical and other targets they have set for themselves. Each department, the Committee suggests, should be enjoined to prepare their entire package of proposals for the following fiscal year by August 15 of the preceding year. A set of these proposals will be forwarded to the Finance Department and another set to the Department of Development and Planning. Working Groups, consisting of representatives of the Operational Department concerned, the Finance Department and the Department of Development and Planning, will appraise the proposals. Following a series of discussions, the Working Groups will make their recommendations of the proposals, which will be placed before a Committee of Secretaries where futher discussions will take place with a view to resolving the residual differences. In the light of these discussions, budget proposals, along with proposals for the Annual Plan, will be forwarded by the Finance Department and the Department of Development and Planning respectively to the Cabinet, which will take the final decisions. The Committee hopes that once the appropirate modalities have been worked out, these exercises could be completed by the second week of January—by which time the Planning Commission's views on the proposed Annual Plan will also be known, so that the Finance Department would be in a position to formalise the proposals for presentation in the Assembly towards the end of February.

5.7. Once the budget has been passed and the appropriation bill signed by the Governor, the general procedure would be that the amounts voted for an individual department will be released in four quarterly instalments without futther scrutiny in the Finance Department. So that this procedure can be successfully followed, each department must maintain a month-by-month system of running audit; such audit must not fall behind in time by more than two months. The Finance Department should make arrangements to depute the necessary personnel so that the Operational Departments are in a position to keep such running accounts; the closest co-ordination with the office of the Accountant-General, the Pay and Accounts Office, Calcutta and the Treasuries and Sub-treasuries will be called for. If, for any reason, a department is unable to spend a substantial portion of its allotments for a quarter, the Finance Department will have the discretion to make adjustments in the releases for the subsequent quarter or quarters. The departments are not expected to breach the ceiling set for annual expenditure under individual heads and sub-heads as per the amounts voted in the Assembly; they may however have the discretion to exceed the *pro rata* quarterly provisions within the quarter's overall allotments as long as corresponding adjustments are effected in the subsequent quarter or quarters.

5.8. We recommend that in order that this suggested new procedure could function smoothly, all the Operational Departments be provided with adequate logistical support. The more important departments of the Government should have the benefit of the services of a financial adviser, to be placed with them by the Finance Department, but who will be

under the administrative jurisdiction of the department concerned. To begin with, such financial advisers may be attached to such departments as Education, Health, Agriculture, Irriagation and Commerce & Industries; there may be one financial adviser for the Departments of Land and Land Reforms and Panchayats and Rural Development. For the other departments, an arrangement may be started whereby one financial adviser will be simultaneously responsible for three or four departments. Each Financial Adviser should prepare a report each quarter on the functioning of the department he is concerned with; such a report may also indicate the performance of the department in physical terms against the financial outlay made. The reports of the Financial Advisers should be discussed jointly by the representatives of the department, the Finance Department and the Department of Development and Planning. Whenever the views of the Financial Adviser are at variance with the department concerned, the Finance Department will be called upon to play a mediating role.

5.9. Such a reorganisation of the system of financial control will necessitate considerable improvements in the nature of organisation of, and quality of personnel, in the Finance as well as the operational departments. The Finance Department will need the services of not just officers from the administrative cadres, but also of financial analysts, economists and statisticians. It will also have to work in the closest collaboration with the Department of Development and Planning. Similar strengthening of technical staff should be allowed for the other departments.

5.10. To make such a reorganisation feasible, it is equally desirable that the Finance Department is unburdened of some of the load it is at present carrying and which, by the nature of things, does not quite belong to it. To begin with, as already indicated in Section 3, the Department should be divested of its responsiblity for looking after the personnel problems of Government employees. Currently, all proposals and representations concerning recruitment, leave, retirement benefits, pay and allowances, etc., are dealt with by the Finance Department. This entire set of problems should be transferred to the Department of Personnel and Administrative Reforms. The latter Department has at present the formal responsibility for only certain postings and for the Administrative Training Institute; as suggested earlier, its functions will have to be considerably enlarged so as to make it the focal point of personnel administration, including personnel planning.

5.11. For framing new norms, procedures and rules of recruitment and employment, the Finance Department will have to be consulted. However, once such rules and procedures have been set up, personnel administration should be the exclusive prerogative of the Department of Personnel and Administrative Reforms. It is only in extraordinary cases, where departures from established rules and norms are sought, the Finance Department's opinion may be called for.

5.12. We shall presently recommend a complete restructuring of the Department of Development and Planning. This Department, in our view, should also assume the overall responsibility in the State Government for statistics. We, therefore, recommend that the Bureau of Applied Economics and Statistics be transferred from the Finance Department to the Department of Development and Planning.

5.13. It is at the same time surprising that the Finance Department has been functioning whithout the benefit of adequate technical advice. It should set up, as early as possible, a proper cell of economists and expand its division of tax planning.

5.14. For integrated fiscal planning it is important that the Excise Department, which is a major instrumentality for revenue-raising in the State Government, works in close collaboration with the Finance Department. It is desirable that the two departments be presided over by the same Minister; where such an arrangement is not possible, either the Senior Minister should be placed in overall charge of both departments, or the same Secretary be asked to coordinate their activites.

5.15. The proposed re-structuring of the work of the Finance Department should enable it to concentrate on problems of tax planning, tax administration and audit and accounts.

There is no question that the number of audit and accounts officers in the State administration should be expanded several-fold, and, in case necessary, special recruitments should be arranged forthwith. Detailed, time-bound schemes should also be undertaken to improve the working in the Pay and Accounts office in Calcutta, treasuries and sub-treasuries. The existing accounts branch under the Finance Department should be decentralised; each major department may have its own accounts office for drawings and disbursements under the charge of the Financial Adviser; the relatively smaller departments may be grouped together for the purpose.

5.16. In paragraphs 5.6 to 5.8, we have suggested a system of pre-budget scurtiny for departmental proposals for expenditure. The system should be extended to cover the public undertakings. The departments should be asked to incorporate in their annual proposals for the budget and the Plan the proposals concerning the public undertakings under their jurisdiction, so that the process of pre-budget scrutiny can be completed in their case too. Departmental advances or grants to the public undertakings may then be made on a quarterly basis without the need for further reference to the Finance Department as in the case of the departments themselves. An exception may however be made in the case of the State Transport Corporations and the Calcutta Tramways, where the existing arrangement of month-by-month releases may continue for the present.

6. STATE AND DISTRICT PLANNING AND THE STATE PLANNING BOARD

6.1. The re-organisation of the Finance Department suggested by us is contingent upon a parallel restructuring of the Department of Development and Planning. Till now the Department of Development and Planning and the State Planning Board, which is formally a part of it, have subsisted as casual adjuncts of the administrative structure. There has been little integration between the activities of the Government and the role expected to be played by this department. Going by the experience of recent years, the bulk of the work even in connection with the preparation of the State's Five Year Plans and Annual Plans is completed by the individual departments in consultations with the Finance Department. While the Department of Development and Planning is marginally involved, its task is by and large limited to weaving together the programmes indicated by the departments. The State Planning Board has been rarely, if ever, associated with the preparation of either the contents or the contours of the State Plans.

6.2. All these deserve to be changed. In the scheme of pre-budget scrutiny we have recommended, the State Planning Board should be involved whenever proposals concern aspects of development and the execution of new projects. The Board should have the prerogative to recommend the overall size of the State Plan in consultation with the Finance Department as also to appraise the general structure of the State's development planning and the allocation of resources between individual departments. It should also arrange for continual appraisals of plan schemes during the process of implementation. Dichotomy between the Planning Board and the Department of Development and Planning should also be ended forthwith. The Department should henceforth act as the Secretariat of the Board, and the departmental Secretary should be its ex-officio member-secretary.

6.3. At present the financial allocations for the districts, both plan and non-plan, are left to the discretion of the individual departments; neither the district authorities nor the Department of Development and Planning nor the State Planning Board have any voice in the determination of these allocations. The Committee recommends that even as the Government's fiscal system is geared up for the general discipline of pre-budget scrutiny, a simultaneous decision be taken that the total budgetary allocations recommended for each department, should indicate specifically the allocations, plan as well as non-plan, intended for the districts. At the time of preparation of the annual plan and the annual budget, the allocations for the individuals districts should also be discussed in detail. In the presentation of the demands for grants in the State Assembly, the overall allocation

for the districts under each head should be shown separately, so that the Assembly, when voting, would know in the case of each department the amounts being voted for the districts. This procedure should be accompanied by an explanatory memorandum giving the detailed breakdown of the plan and non-plan outlays proposed for each individual district. For technical or other reasons, it may not be immediately possible to indicate separately, in the presentation of the demands for grants, the demands sought for the districts; there ought to be no difficulty however in putting together in the accompanying memorandum the details for each district. A beginning could be made with the budget for the fiscal year 1984-85.

6.4. It would be altogether wrong if, while preparing the district plans and the district budgets, decisions are taken at the State headquarters without consultation with the administration of the districts. In consonance with the objective of decentralised administration adopted by the State Government, it is possible to envisage an arrangement whereby the responsibility of administration in all its aspects, with the possible exception of the responsibility for law and order, will be gradually shifted to an elective body at the district level. Once the urban areas are brought under the jurisdiction of the Zilla Parishad, the Parishad could then assume the role of the focal body for the purpose. It is a point for examination whether a completely decentralised structure of district administration, in charge of not only development but also other non-developmental and executive responsibilities, should not be continuously kept in view. A decision on this matter may await further analysis of the underlying issues. In the interim, we propose that a Standing Committee for Budget and Planning be set up in each district with appropriately weighted representations from the Zilla Parishad and the municipal bodies. The Sabhadhipati of the Parishad may be the ex officio Chairman of the Committee and the District Magistrate its Principal Officer. The Committee may be placed in overall charge of the responsibility for the preparation of the district plan, its monitoring and supervision as well as for the allocation of funds and execution of work under the non-plan heads.

6.5. The quality of both general and development administration in the districts can be effectively improved only on the basis of a complete integration of functions and activities among the different official agencies operating in the districts. Resources at the disposal of the State Government for expenditure in the districts are necessarily extremely limited. There is a social obligation that these resources are, therefore, put to the optimum use, a task which can be fulfilled only if the walls separating the different official agencies are taken down. We, therefore, recommend that the district wings of all the Government departments be made directly responsible to the Standing Committee for Budget and Planning for the preparation, co-ordination and execution of developmental as well as non-developmental work; the district magistrate, as the principal officer of the Committee, should be assigned the formal responsibility for the purpose.

6.6. It is equally desirable that the panchayat samitis, the gram panchayats, and individual municipal bodies be consulted in the formulation of the district plans and in the determination of priorities. Arrangements should, therefore, be made for consultations with such bodies too on behalf of the Standing Committee.

6.7. Neither the district plans nor the district budgets can be formulated or executed in isolation; they have to be integrated with the State Plan and the State budget. The State Planning Board as well as the Finance Department must, therefore, take the initiative to organise a series of discussions with the District Standing Committees as also with the individual departments so that the budget and the plan for the State as a whole reflect the greatest common measure of agreement among the different entities involved.

6.8. If the State Planning Board is to fulfil the responsibilities proposed for it, both the Board and the Department of Development and Planning need to be strengthened by induction of technical personnel at various levels. That, apart, as ealier indicated, it would be desirable to set up a number of working groups with representation from the Board, the Finance Department and the other departments of the Government as well as the public

undertakings to improve qualitatively the formulation of the budget and the plan.

6.9. At the district level too, the staff of the Zilla Parishad will need to be considerably strengthened. The District Planning Officer should be placed on a whole-time basis with the Zilla Parishad, and his services should be fully made use of by the Standing Committee for Budget and planning. The Committee must have the services of engineers, economists, statisticians and other technical staff, made available to it either on deputation from other Government agencies or through fresh recruitment. As suggested above, officers of the various departments at the district level will be expected to be at the disposal of the Standing Committee, and guided by it in determining priorities and in executing and monitoring projects within their direct jurisdiction. It should also be understood that these officers would be expected to co-ordinate with the district magistrate, who will be the principal functionary of the Committee. The Zilla Parishad's pool of expertise should be further augmented with the induction of a district audit and accounts officer and the establishment of a statistical cell.

6.10. We have earlier proposed that the Bureau of Applied Economics and Statistics be transferred to the Development and Planning Department. We further recommend that statisticians in Government agencies, including in the district bodies, should be brought under a common pool with due arrangements made for protecting the respective levels of seniority of those already in service. The head of the Bureau should be in charge of the State's statistical pool; it will be his responsibility to arrange for the placement of statisticians with individual departments and districts.

7. INTER-DEPARTMENTAL CO-ORDINATION

7.1. The Committee has considered at some length the aspect of inter-departmental co-ordination. The processing of Cabinet decisions is in a sense also linked to the problem of co-ordination, since it involves co-ordination between the office of the Chief Minister and the individual departments or, sometimes, groups of departments. A large part of the Cabinet proceedings, is, we feel, currently utilised to consider relatively routine matters, such as cases of re-employment or extension of service or approval of rules of recruitment. Such deployment of the time of the entire Cabinet should be discouraged. Cases of re-employment and extension may be delegated to a Cabinet Committee consisting of the Chief Minister, the Minister for Personnel and Administrative Reforms, the Finance Minister and the Minister to which the particular employee, whose case is being considered, belongs. Such a committee can meet once a month and decide on the outstanding cases; where the Chief Minister is unable to attend, the committee may be presided over by the Finance Minister. Similarly, rules of recruitment can be finalised by a Cabinet Committee consisting of the Minister for Personnel and Administrative Reforms, the Finance Minister and the Minister of the concerned department; this committee too can meet once a month.

7.2. Even for considering substantive matters, including policy issues and new programmes and projects, the major part of the work of the Cabinet, in our view, should be carried out through three Standing Cabinet Committees, namely: (*a*) Cabinet Committee for Rural Development, (*b*) Cabinet Committee for Industrial and Urban Development, and (*c*) Cabinet Committee for Social Services. The Committee for Rural Development may consist of the Ministers for Land and Land Reforms, Agriculture, Panchayats and Rural Development, Power, Public Works, Irrigation and Waterways, Co-operation, Minor Irrigation, Animal Husbandry, Scheduled Castes and Tribes Welfare, Fisheries, Forests and Cottage and Small Industries. The Cabinet Committee for Industrial and Urban Development should consist of the Ministers for Commerce and Industries, Public Works, Metropolitan Development, Local Government and Urban Development, Power, Environment, Sanitation and Water Supply, Labour and Cottage and Small Scale Industries. The Cabinet Committee for Social Services should include the Ministers for Education,

Health and Family Welfare, Local Government and Urban Development Co-operation, Public Works, Housing, Power, Refugee Rehabilitation, Relief and Welfare, Scheduled Castes and Tribes Welfare. The Finance and Judicial Ministers should be ex-officio members of all the three Cabinet Committees. The Chief Minister himself may decide to associate himself with any or all of the Cabinet Committees; he may otherwise nominate a Minister to preside over each Committee.

7.3. There should be three Standing Committees of Secretaries corresponding to the three Cabinet Committees. All proposals pertaining to policy issues and new programmes and proposals should first be processed in one of the Committees of Secretaries. The recommendations of the Committees should be forwarded to the Cabinet Committees for ratification. It is only when certain basic issues cannot be resolved in Cabinet Committees that the entire Cabinet will have to be consulted. The Cheif Minister will however retain the discretion to convene meetings of the whole Cabinet whenever, in his view, a substantive matter, already decided upon in a Cabinet Committee, needs to be further reviewed. Ministers of State will attend Cabinet meetings on invitation whenever issues specific to their responsibilities are involved.

7.4. Each Cabinet Committee, as well as the entire Cabinet, should establish a formal system of monitoring of action on decisions taken. The Chief Secretary, who is also the ex officio Cabinet Secretary, should be responsible for monitoring; Cabinet decisions. The agenda papers for each meeting of the Cabinet should contain an annexure giving details of follow-up measures on decisions taken in the previous meeting: till as long as a Cabinet decision has not been fully implemented, such reporting will continue as a matter of course, and each Cabinet meeting will commence with discussion on these pending matters. The Cabinet Committees and the Committees of Secretaries should follow similar procedures. The Chief Minister will nominate either the Chief Secretary or a departmental secretary to act as Secretary to each Cabinet Committee; these three Secretaries will chair the three respective Committees of Secretaries.

7.5. Where routine aspects of administration are involved, it is expected that the department will proceed on their own, and inter-departmental committees must not be used as a screen for evading responsibilities where such responsibility is already firmly delineated. At the same time, it is the Committee's view that decisions and actions on policy issues and new proposals can be greatly expedited if a system of continuous consultations among the different departments could be actively fostered. As far as possible, Ministers and Secretaries must be encouraged to resolve differences and arrive at decisions through meetings and discussions across the table. Even without formal meetings of the Cabinet Committees or the Committees of Secretaries, it should be possible for two departmental Secretaries to meet and arrive at agreed decisions on bilateral problems affecting their departments; where they fail to reach agreement, they may approach their respective Ministers and request a meeting at their level.

7.6. The Chief Minister will of course retain the overall responsibility for effecting co-ordination of work among the departments. In case felt necessary, he may depute a colleague to act as Minister for Co-ordination.

8. DEPARTMENTAL FUNCTIONING

8.1. With the rapid expansion of activities of the State Government, particularly of developmental activites, the scale and complexity of work in the various departments have increased several-fold. It is of the utmost importance that both the quality and the pace of disposal of work at various levels are such as to meet the new challenges posed to the State administration. There are a number of issues of procedure and methods of work which often play a crucial role in maintaining and improving administrative standards. Our observations on some of these matters are set forth below.

8.2. There was a near-unanimity amongst those who met us, or sent us memoranda

and notes, that the present practice of locating a Central Despatch Office in the Finance Department, responsible for the despatch of all correspondence and materials from the departments and directorates located at the Writers' Building, has been a major factor in clogging up official communications and slowing down Government work. A certain decentralisation of this office has been effected recently. The Committee is of the view that the task should be carried further forward. Each department and directorate, whether located in Calcutta or elsewhere, should have its own despatch section, which will be responsible for the outward despatch of all communications from the particular office. Such a re-arrangement, the Committee feels, does not call for recurtiment of any additional personnel in Government: the staff of the Central Despatch Office and its subsididary offices may be distributed over the different departments and directorates and placed in charge of the decentralised work. Whenever re-organisations of this nature are effected, an apprehension exists that prospects of promotion of the staff may be adversely affected It is for the Government to initiate measures which could disabuse the mind of the employees of any such apprehension.

8.3. A large measure of agreement was also noticed in the discussions before the Committee on the procedure to be adopted for the speedier disposal of cases and files within each department. There is, to begin with, the problem of co-ordination between a department and its directorate or directorates. Our attention has been drawn to the length of time it takes for proposals initiated at the level of the directorate to be finally disposed of in a department. Any such proposal usually goes through several rounds of laundering. It undergoes a two-way vertical sojourn within the directorate itself; the procedure is repeated when the proposal is forwarded to the Secretariat for processing. Since the directorate is by and large concerned with technical issues and is served by personnel technically equipped to deal with such issues, it has been suggested to us that a proposal processed by it should not normally be allowed to travel again through the various layers of a department before it is either approved or rejected or amended. One suggestion offered is that all proposals vetted by the directorate should be processed in the department only at the level of the Secretary or a Joint Secretary. However, the directorate may not sometimes be acquainted with the history of how similar proposals were dealt with in the past by the department concerned; the requisite 'memory' is retained only in the department. The problem is not insurmountable. It should be possible for a department to transfer, at an interval of time, such 'memories' to the directorate, so that the latter itself is in a position to take into account the implications of past decisions on cases analogous to the one it is currently considering. An alternative solution could be the introduction of the so-called single file system, where all notings, beginning with the directorate and ending with the department, are done in a continuous order in a single file. Even in such a system, it should be possible to ensure that proposals vetted by the directorate at its highest level are discouraged from being sent down in the department to levels below that of Joint Secretaries.

8.4. The Committee feels that in a number of instances it should be possible to effect a merger between a department and its directorate. Such mergers, albeit partial in nature, has already taken place in the Departments of Public Works and Housing, and have markedly contributed towards improving the speed of disposal of cases. The Committee would recommend that in departments whose functions and activities have a strong technical bias, the dichotomy between the department and the directorate be removed. In all such cases, it is also further desirable that, the technical head, whether already holding the position of ex officio Secretary or otherwise, should be formally designated as Secretary to the Department, and the practice of having two Secretaries abolished. Such re-arrangements could cover the Department of Health and Family Welfare, Public Works Department, the Department of Irrigation and Waterways, the Deparment of Environment, Sanitation and Water Supply, the Department of Forests, the Department of Animal Husbandry and conceivably, the Department of Development and Planning.

8.5. In a number of cases, there is an overlap of activities between a directorate set up under the auspices of a department and a corporation established under the Companies Act to further the programme of work of the department in general and the directorate in particular. The major ground for setting up a corporation of this nature is the need for institutional finance. In serveral instances, however, little attempt has been made to attract such outside funds and the corporations have increasingly come to depend on budgetary allocations. In all such cases, the Committee, as indicated earlier, is of the view that the Government should, in consultation with the Standing Advisory Committee on Government Corporations, either abolish the directorate and transfer its personnel to the corporation or to the department proper, or abolish the corporation and transfer its personnel and functions to the directorate. The legal probelms likely to arise in implementing such decisions are not intractable, and the transitional problems are worth being tackled given the prospects of financial savings and accretion of efficency in the long run.

8.6. The Committee has noted with some concern that monitoring procedures indicated in the Rules of Business have increasingly fallen into disuse in day-to-day departmental functioning. For example, Rule 22 calls upon the Ministers as well as the Secretary of a Department to prepare each week a statement listing the number and nature of cases and issues dealt with by them in the preceding week. The preparation of such a list on a regular basis can itself serve the purpose of monitoring: in case such lists are forwarded to the office of the Chief Minister, it is possible for the latter to form a synoptic view of the progress of work in the different departments. The Committee strongly recommends that this procedure be revived. It would recommend that, within each department, a Joint Secretary or a Deputy Secretary be assigned the responsibility of preparing a weekly list of outstanding work pending with the department; the list should be seen both by the Secretary and the Minister. The Secretary should hold monthly meetings with his officers and review the pending list and the case diary, discuss progress of work of each item on the list and the diary, and decide upon measures with respect to items where progress is slow or unsatisfactory.

8.7. Such a system of monitoring will not only improve the pace and quality of work, but is also likely to help the department to attend effectively to representations and grievances from the public, an obligation at present only perfunctorily fulfilled. A democratic system must be responsive to public grievances; it should cater to public complaints within the limits of its capability. Re-arrangements in working procedures should be made keeping this objective too, in view.

8.8. The Committee arranged for a number of sample studies on the movement of files in the Departments of Health, Education and Land and Land Reforms with a view to forming a judgement on the extent and nature of delays in inter-and intra-departmental transactions. Results of one such study pertaining to the Department of Land and Land Reforms indicates that a particular matter went round 104 different desks both inside and outside the Department, and yet the matter is still pending. Such a state of affairs cries out to be mended. The Committee would recommend that, within each department a major change of procedure be intoduced. The following arrangements, which combine the features of the so-called; 'Desk Office' system with those of the system of level-jumping, the Committee feels, are worth experimenting with.

> The entire work of a department may be divided among a number of divisions, and each such division be placed in charge of a Joint Secretary or a Deputy Secretary. Each such Joint Secretary or Deputy Secretary may in turn have an Assistant Secretary or a Section Officer to work in tandem with him or her, and who will be responsible for work of a more specific nature. The Lower and Upper Division Assistants, Stenographers and Typists belonging to the department may be divided in a number of pools; each such pool will be associated with a division. Responsibility will be collectively shared between the Joint Secretary/

Deputy Secretary, the Assistant Secretary/Section Officer and the other members of the staff assigned to the division. All notings will commence at the level of the Section Officer/Assistant Secretary and travel up to the Deputy Secretary or the Joint Secretary concerned. Where it is a Deputy Secretary who is principally responsible for the functioning of the division the file will be forwarded to the Secretary; where it is a Joint Secretary, the file may be disposed of, and action initiated, without further consultation. The departmental manual should indicate the broad division of responsibilities, the arrangements for routing, and the procedure for the disposal of cases of different types. In each department, there are certain matters for which no delegation of responsibility is possible, and the Secretary has to be shown the concerned files. The departmental manual can clearly indicate such matters along with the extent and nature of delegation and decentralisation of work within the department. The Minister too can, through amendments to the standing orders, periodically review the degree of delegation in force.

8.9. In such a re-organised arrangement, the institution of the dealing or reference clerk will be done away with and the seniormost employee will be accountable for the total work. Deputy Secretary will receive the incoming correspondence and files and assign them to the concerned division. Once the culture develops, even the other departments in the Government will be able to identify the actual division with in the departments to be addressed in connection with a specific problem.

8.10. It is expected that the personnel belonging to each division will sit in proximity to one another and deal with cases and files in a collective manner: the services of the junior members of the staff should be utilised to collect and process the requisite data; they may also offer suggestions which will be considered and put in final shape on the file by the Section Officer/Assistant Secretary concerned.

8.11. Such a re-structuring of work, as is obvious, is contingent upon a qualitative improvement in the physical conditions obtaining in the Government departments. If employees belonging to a particular division are to sit close to one another, there must be adequate space available for the purpose. It is the administration's responsibility to arrange for such space and to ensure that the physical conditions improve. On this matter, the Committee has formed some views which it proposes to set down in a subsequent section.

8.12. Apart from such a re-arrangement of the system of work, a time-limit too should be set for the retention of files both at one particular desk in a department and in one particular department. Where the matter under consideration does not involve a new policy descision or a proposal for a new project, no file should be detained at a particular point within a department beyond three working days: the prosposal should be capable of being processed in entirety in the department in the course of a fortnight, if not earlier. Where it involves an issue of policy or a proposal for a new scheme, the total period within which the matter is either disposed of by the department, or discussed with the department originating the file, or is referred to the concerned Committee of Secretaries, should not exceed three weeks.

8.13. In case a file referred to one department by another cannot be otherwise disposed of, inter-departmental discussions should take place, and a final decsion communicated within one month from the date of despatch of the file. Where this inter-departmental reference is on a routine matter, the file should go back to the originating department within a fortnight with a final decision. Compartmental queries and compartmental answers to such queries must be discouraged; appropriate leadership must be provided in such matters by the departmental Secretary. Deviations from these norms on the part of any employee or group of employees should be considered as dereliction of duty and invite disciplinary proceedings.

9. THE DISTRICT ADMINISTRATION

9.1. The decentralisation of administration calls for the diffusion of power and responsibility not simply to the level of districts, but further down to the level of subdivisions, blocks and villages too. It is, therefore, crucial that the administrative changes envisaged for the districts are in consonance with the philosophy underlying the three-tier panchayat experiment in the State. In such a scheme of things, the Subdivisional Officers should be called upon to assume responsibility for a much wider sphere of activities than is currently in the practice. It is particularly important that the District Magistrate, in his capacity as executive officer of the Zilla Parishad, utilises the services of the Subdivisional Officer to monitor and supervise the activities of the block-level panchayat samitis. This task will be facilitated if all departmental officers at the subdivisional level are instructed to be part of a co-ordinating group of which the central element will be the Subdivisional Officer. For ensuring the most economical use of the limited resources available to the State Government, even at the subdivisional level the so-called one-line method of work must be forsaken and collective functioning accepted as the core principle; the S.D.O.'s office may be used as the catalyst for the purpose.

9.2. The Subdivisional Officer can also play an effective role in bringing together the developmental and administrative aspects of Government functioning at the block-level. It is only logical that the Panchayat Samiti, of which the Block Development Officer is the executive officer, is considered as the focal point of co-ordination between the block-level activities of the different Government departments. This would imply, for example, that even the Krishi Prayukti Sahayaks, who formally belong to the Agriculture Department, be made concurrently responsible to the Panchayat Samiti. The Sabhapati of the Samiti will preside over meetings where representatives of the different departments will be expected to be present, but the day-to-day co-ordination will have to be done by the B.D.O., whose activities will be monitored by the S.D.O.

9.3. Both the Panchayat Samiti and the Subdivisioanl Officer can play a further role. At present, officers in charge of local police stations report directly to the Subdivisional Officers and are dissociated from the routine of activities in which the B.D.Os. are involved. Problems may however arise from day to day, touching on aspects of both developmental and general administration, where a close understanding between the B.D.O. and the O.C. is desirable. A beginning could be made towards this direction through a system of monthly meetings, to be presided over by the Sabhapati of the Panchayat Samiti, where the problems of block administration could be jointly discussed with the B.D.O. and the O.C. Similar meetings may also be arranged by the S.D.O. on a quarterly basis.

9.4. The experience gathered in the field is part of the totality of administrative experience which helps to shape the complete administrator. It should, therefore, be a matter of esablished policy that personnel from the State headquarters, including Assistants, Section Officers and Assistant Secretaries be encouraged to have periodic postings in districts, subdivisions and blocks. Such postings should be during the first 15 to 20 years of one's career and should be accompanied by a general assurance in regard to availability of housing facilities in the case of employees transferred from the State headquarters.

9.5. A cross-section of views has been placed for the consideration of the Committee on the role of the District Magistrate in district administration. Opinions have also been expressed on the advisability or otherwise of retaining the District Magistrate as the executive officer of the Zilla Parishad. According to one point of view, development administration cannot be dissociated from general administration and the Zilla Parishad, given its developmental functions, will continue to be confronted with problems which impinge on issues of law and order, land acquisition, and so on. In the circumstances, the arrangements followed since the inception of the new system of panchayat institutions in 1978, with the District Magistrate functioning as the executive officer of the Zilla Parishad, it has been urged, should be left undisturbed, at least for some while. There is a contrary

view too. Since the District Magaistrate is responsible to State Government for the enforcement of law and order, while the Zilla Parishad represents a different and distinct political stratum, a conflict of interests, it has been suggested, could arise between his role as district administrator and his other role as principal officer of the Parishad. If this point of view is accepted as valid, it would then be desirable to demarcate the position of the Executive Officer of the Parishad from that of the District Magistrate and depute another incumbent to hold charge of development administration in the district. Yet another view maintains that the principal officer of the Zilla Parishad need not be drawn from the ranks of the administrative services; since the execution of development projects primarily involves dealing with technical problems, a senior technical officer, belonging to one of the technical services of the Government, may be named the executive officer of the Zilla Parishad.

9.6. The Committee has considered the different points of view. Given the fact that the panchayat experiment is still in its early stage and the closest co-ordination between the district administration and district developmental work is called for at least for some more years, it is desirable that the District Magistrate continues to act as the principal officer of the Zilla Parishad. The matter may perhaps be reviewed at the end of a further period of five years. Whether technical officers may be offered the position could also then be further examined.

9.7. We now come to another equally important issue. In his role as executive Officer of the Zilla Parishad, the District Magistrate is the co-ordinator of district developmental activities; these activities are likely to expand a great deal if the Committee's other recommendations are accepted. But the need for a representative of the State Government to be placed with the responsibility in each district or co-ordinating the normal, non-developmental activities of the individual departments in the State Government is no less. The problems West Bengal is currently facing are difficult and complex; resources at the disposal of the State Government are, as already stressed, severely limited. The one-line method of administration, with functionaries of each department operating as separate entities responsible only to the department concerned, is a luxsury the 'State cannot simiply afford even for routine, so-called non-developmental activities. It is our view that the formal co-ordination for the purpose at the level of the district administration should be effected through the office of the District Magistrate and under the general direction of the Standing Committee on Budget and Planning.

9.8. We cannot ignore the role of continuity in administration. For Whatever reasons, in the post-independence period, the post of the District Magistrate has been retained as that of the principal co-ordinator of Government activities. This arrangement, we recognise, has led to some heart-burning and given rise to some misgivings. Certain attributes of general administration are however experience-specific and cannot be found among officers belonging to the other services of the Government, including technical officers, working at the district level. A modality of co-ordination should therefore be formally established between the District Magistrate as executive officer of the District Standing Committee on Budget and Planning and those in charge of the other departments in the district. It also follows that cognisance has to be given to the monitoring and supervisory role of the District Magistrate in relation to the other district functionaries.

9.9. A similar relationship which ought to obtain between the District Magistrate and the District Superintendent of Police is already laid down in the police regulations. It bears repetition to state that the district police authority will have to report to and take general guidelines from, the District Magistrate.

9.10. The Committee has considered the matter of background and experience for a District Magistate. It is our view that, following the completion of probationary training, an officer belonging to the Indian Administrative Service should have at least two tenures, of a minimum period of two years in each case, as either Sub-divisional Officer or Additional District Magistrate, to be followed by a tenure with a Government department,

or a directorate, at the State headquarters for a further period of two to three years, before he or she should be asked to assume the charge of administration of a relatively small-sized or less sensitive district. The seniority we envisage in such cases is of a minimum period of nine years. After completing a tenure as District Magistrate in such a district for a period of two to three years, the officer should be brought back to the Secretariat for a further tour of duty with a department, following which he should be asked to hold charge of a relatively more important district. In our scheme of things, therefore, to assume charge of a major district such as Burdwan, 24-Parganas or Midnapore, a minimum period of service of at least around 15 years should be regarded as essential for an officer belonging to the IAS.

9.11. We shall also urge that the services of mature and experienced officers belonging to the State Civil Service should be put to greater use for providing leadership in the district administration. This objective can be party fulfilled if the quota of annual induction to the Indian Administrative Service from the Select List of State Service Officers is raised from the current level of 33 per cent to 50 per cent. In the case of such State Civil Service Officers inducted into the IAS, for holding charge of a relatively minor district, the minimum period of incubation may be placed at 12 to 14 years, and for holding charge of a major district, between 18 to 20 years. For such officers too, there should be a proper blend of experience of service in both districts and the State headquarters.

9.12. We may mention in passing that the morale of State administration, both at the headquarters, and in the districts, is likely to improve significantly provided, in matters of promotion and advancement of career, some consideration is given to the case of officers who were promoted to the State Civil Service and have put in a relatively long service in Government.

9.13. With the expansion of transport and communications, the enlargement of the panchayat experiment and increasingly direct contact between the district administration and the State headquarters, the role of the Divisional Commissioner has tended to fall into disuse. The Divisional Commissioner is still called upon to perform certain statutory functions: these functions can however be easily transferred elsewehere with appropriate revision of rules and statutes. The justification for the continuation of the office of the Divisional Commissioner has, therefore, to be separately established. One view can be that the location of this intermediary between the district and the State headquarters is no longer needed. At the same time, it cannot be denied that the burden which the incease in developmental activities, the decentralisation of administration and the establishment of the panchayat institutions has imposed on the system has intensified the necessity for continuous inspection, monitoring and supervision of work and activities taking place at different layers and levels of administration. While the departments will arrange their own monitoring and supervision, supervisory responsibilities of an auxiliary nature have been entrusted to the Zilla Parishads as well as the Panchayat Samitis. The District Magistrates and the Subdivisional Officers, given their *ex officio* positions in the panchayati system, are associated with this supervision. Even so, there may be a role of relatively senior officers, who had themselves in the past worked as District Magistrates and SDOs, and have also filled in positions in Directorates and Departments, to oversee the developmental as well as non-developmental activities at the district, the subdivisional, the block and the village levels. This role can be filled in by the Divisional Commissioner. The availability of a Divisional Commissioner for guidance and advice may also help to sort out problems of co-ordination that could arise from time to time between functionaries of the different departments at the level of the district.

9.14. It is important that the system of inspection be revived and reactivated in State administration at all levels. Departmental Secretaries—as well as financial advisers—should be encouraged to visit the districts, Divisional Commissioners should consider it as their principal duty to tour each district within their jurisdiction, the District Magistrates must find the time to proceed to the subdivisions and blocks under their charge,

and the Subdivisional Officers similarly should, in fulfilment of their responsibility for monitoring and supervision, visit the subordinate offices. This is one of the most effective means of ensuring that administration remains alert and active.

10. STAFF RELATIONS AND WELFARE

10.1. A Government does not exist for its employees. At the same time, no administration can sustain itself unless it is able to draw the best out of its employees. If a democratic climate of work does not prevail and the basic rights of the employees are not recognised at all levels, efficiency cannot improve. To ensure that the problems of the employees are adequately taken care of, the Committee proposes that a Staff Welfare Unit be attached to each department and directorate of the Government; there should be similar units at the district level. It may not be practicable to have separate units to look after the problems of the employees in offices at the subdivisional level and further below: a Staff Welfare Unit for a group of such offices may however still be considered. Employees belonging to all groups should have the right to approach the Staff Welfare Unit with problems relating to conditions of their work and employment. The Unit will be responsible for the proper maintenance of the papers of the employees, inluding papers pertaining to Open Performance Reports, Provident Fund Accounts, Service Books and so on. An employee should be supplied with a duplicate copy of each such document to be retained in his custody, and the Staff Welfare Unit should see to it that the records in such documents are continually brought up-to-date. An employee will be entitled to approach the Staff Welfare Unit whenever problems arise with respect to any matter involving his service conditions, including salary fixation, fixation of allowances, increments, promotions, training, etc. The Unit should also be in a position to advise the employees in matters concerning housing or medical care. The Unit should, in addition, attend to such welfare activities for the employees as recreation, sports, etc.

10.2. The Department of Personnel and Administrative Reforms will have the general responsibility for personnel administration in the entire Government. Personnel planning for different services and grades will be a major task for the department. Apart from periodical reviews of staff strength in the different departments, the Staff Inspection Unit, which should be located in the Personnel and Administrative Reforms Department instead of in the Finance Department, will arrange for a cost-benefit appraisal whenever a new unit or section is proposed to be created in a department or directorate. While the Finance Department will be associated with the process, the formal responsibility for making recommendations on the basis of such appraisals will devolve on the Personnel and Administrative Reforms Department.

10.3. The output of employees depends upon a number of key factors. As mentioned earlier, the physical conditions in which they are asked to work constitute, in the Committees' views, one of the most important among them. There can hardly be any dispute that the physical environment in both the Writers' Building and the New Secretariat is not conducive to efficiency. The Writers' Building in particular is over-crowded beyond description. Close to ten thousand employees are crowded inside it, when perhaps it would be prudent to limit the number to at most four thousand. The general surroundings, in which all sections of employees, specially those belonging to Groups D and C and B, are called upon to perform their duties, is a slur on the State administration. Scores of people are huddled together in dimly-lit, badly-ventilated space; the furniture are inadequate and often in a dilapidated state; any system for preservation and maintenance of files, is almost non-existent; even the minimum physical facilities are lacking; the conditions in which women employees have to work are even more intolerable. The situation is about the same, if not worse, in the offices of the directorates and in the districts and subdivisional offices.

10.4. There has been few construction of office buildings in the Government sector in

both Calcutta and the districts in the recent period despite the fact that the scale of Government activities has increased many times. Construction of residential quarters too has lagged behind. In fact, one major impediment to effecting transfer of officers and other employees to the districts is the difficulty in arranging accommodation. Where official quarters are not available, it is most of the time beyond the capability of the employees to rent private houses.

10.5. One basic task in administrative reforms in West Bengal should be to change this situation. The Committee recommends that for the five years beginning with 1984-85, at least 2 per cent of the total expenditure of the Government, Plan as well as non-Plan, be specifically earmarked for official construction, including for residential purposes. At the end of this period, the minimum annual allotment should be maintained at 1 per cent of the total budgetary allocations. An allocation of this order would make available, for the present, a sum of Rs. 40 crores annually for Government construction. The Committee would suggest that around Rs. 12 crores from out of this aggregate amount be allotted for official construction in the Calcutta area and the residual sum of Rs. 28 crores be distributed among the districts, which would mean that, on the average, each district will have Rs. 2 crores each year at its disposal. Of this amount, about one-half may be reserved for official construction at the district headquarters and the other half reserved for construction in the other areas within the district, particularly in the remoter parts. It should be the responsibility of the District Standing Committee for Budget and Planning to determine the detailed *inter se* distribution of the resources thus made available for official construction. For the Calcutta area, the detailed allocations may be worked out by a Committee of Secretaries presided over by the Chief Secretary, subject to ratification by the Cabinet.

10.6. Such construction of office and residential buildings, whether in Calcutta or the districts, will however take time for completion. Meanwhile, in the interests of work and administrative efficiency, the Committee recommends that arrangements be made to move out of the Writers' Building a number of departments and directorates in a manner such that the number of employees located in the Building is reduced by at least one-third by the beginning of the next fiscal year. There are many departments which can function effectively even if their major branches are not located in the Writers' Building. For instance, little reason exists for the Police Directorate or the Directorate of Health Services or the Political Pensioners' Cell to be located here. A false impression obtains that an office in the building implies nearness to the seat of power and influence. It is for the Government to adopt measures which will strike at the root of this impression. Several ministers and secretaries have informed the Committee that while they do not *per se* have any reservations to move out of the Writers' Building, the interests of efficiency demand that such movements should not be compartmentalised; when a department moves, its minister too should move to a new location.

10.7. A number of buildings within the city of Calcutta are at the disposal of the State Government which can be expeditiously completed with some minor modifications. These buildings can be made ready for purposes of official accommodation. It should not be difficult to shift a number of departments and directorates to these locations provided a firm decision is taken at the top. The Committee could have worked out an illustrative scheme indicating the departments which could establish themselves in the new locations. The work may however be left to a Committee of Secretaries presided over by the Chief Secretary, subject to ratification of its proposals by the Chief Minister. Some initial resistance to such shifts is only to be expected; these have to be overcome.

10.8. Some employees, who come to work from residential locations as far as 30, 40 or 50 kms. away from Calcutta, and who therefore find the location of the Writers' Building and the New Secretariat relatively convenient because of their reasonable proximity to the Howrah and Sealdah rail stations, may encounter some difficulty in case the offices are dispersed over different parts of the city. But it is also possible that, with the disper-

sion of Government offices, the strain on the city's transport system may lighten considerably. To maintain effective liaison between the departments operating from the Writers' Building or the New Secretariat and the other buildings, the Government may consider introducing a continuous shuttle of a limited number of buses which will carry officers, other employees and papers and documents from one location to another during working hours.

10.9. Unlike in other States, no houses or flats are at present earmarked for ministers in West Bengal. This is hardly a desirable state of affairs. The Committee hopes that, in the programme of Government construction, adequate attention will be given to build residential quarters for ministers.

10.10. The Committee's attention has been drawn to the proliferation of eateries and similar other private stalls in office buildings. This practice not only pollutes the working environments, but affects office discipline. Such stalls should be immediately dismantled and, where necessary, arrangements made to expand the facilities available at the cooperatively managed staff canteens.

10.11. A major problem which employees face on the eve of their retirement is with respect to the processing of retirement papers, which affect the payment of pension, gratuity and provident fund accumulations. It will be the duty of the Staff Welfare Unit to prepare, at the beginning of each month, a roster of employees due for retirement one year hence, and to initiate the process of finalising their papers. The Unit must ensure that on the date of retirement of each employee, all the formalities have been completed and there is no waiting time between the date of retirement of the employee and the commencement of the flow of his retirement benefits. It will not be the responsibility of the employee concerned, but of the Government, if the records are incomplete on the due date of retirement. In such a contingency, the employee must be allowed to commence drawing his full pension as calculable on the basis of papers furnished by him; he should similarly be allowed to draw the gratuity without any deductions.

10.12. The Committee understands that a decision has already been taken by the Government to decentralise the sanction of commutations of pension by authorising the pension-sanctioning authority to sanction such commutations as well. This decision must be implemented without further delay. The Committee further suggests that work relating to: (*a*) pension and gratuity entitlement, (*b*) entitlement of pension after commutation, and (*c*) maintenance of provident fund accounts be decentralised through the establishment of three regional cells outside Calcutta; the necessary consultations may be held with the Accountant-General as early as possible concerning this matter.

11. PUBLIC GRIEVANCES

11.1. A reference has been made earlier to the need for re-casting the procedure of work in the offices of both the Minister and the Secretary in each department to facilitate the continuous monitoring of pending cases. A major number of such matters pending with the Minister as well as the departmental Secretary relates to grievances emanating from members of the public. A democratic system of administration, which holds itself accountable to the people, owes to respond with deference and speed to complaints lodged by the public. It is not to be denied 'hat complaints can often be either frivolous or motivated. Even such cases however deserve to be expeditiously enquired into and responded to. Once members of the public realise that complaints, which have little basis in facts, will receive the short shrift from the State administration, they will themselves learn to ration their representations.

11.2. The present arrangements for dealing with public complaints are uniformly unsatisfactory. There is a casualness, bordering almost on cynicism, in the manner in which correspondence from the public is dealt with. While prominent citizens have their letters attended to, the general members of the public receive little response beyond an initial

routine acknowledgement of their representation. All this deserves to be changed, and changed drastically.

11.3. The Committee suggests that a Public Grievances Cell be set up in each department as well as in each large-sized directorate and in each district administration. This cell will be charged with the exclusive responsibility for looking after complaints from the public.

It should gather the facts from the relevant sections of the department or the directorate or the district administration, arrange for an interim reply and send a fuller reply within six to eight weeks of the date of receipt of each complaint. It should be considered as a breach of discipline, if this procedure is not observed at any point. Once the different layers of the administration begin to appreciate that attending to public grievances is an integral part of their duties and obligations and a default in the matter will invite the severest disciplinary measures, their response to the new arrangements is bound to be positive.

11.4. Public Grievances Cells should be set up in the offices of the Zilla Parishads too. A modified procedure may be adopted for the lower tiers of the panchayat system. A member of the Panchayat Samiti should be designated to look into grievances addressed to it with respect to the work performed either by the Samiti itself or by the Gram Panchayats within its jurisdiction.

12. ACCOUNTABILITY AND DISCIPLINE

12.1. Ministers and others are agreed that the enforcement of accountability and discipline are integral determinants of administrative efficiency. It is important that employees at all levels conform to the code of discipline and conduct laid down in Government manuals with respect to them. If no accountability can be enforced and each employee presumes that he is not subject to any code of discipline and control, he could then decide on his own that nature and quantum of work he would perform, and decide upon the time and periodicity of his arrival in, and departure from, office.

12.2. It is encouraging to note the growing awareness, at all levels of administration, of the need to evolve a structure of accountability and discipline which could contribute to a more congenial climate of work and improved efficiency. The major associations of employees have on their own initiated campaigns and measures, which have already shown encouraging results. But clearly more needs to be done. In such matters, the leadership, in the Committee's view, has to be provided, for the entire structure of government, by the Chief Minister and, for the individual departments, by the Minister concerned. The Government of West Bengal has set an example for the rest of the nation by recognising the basic democratic rights of government employees and by according to them the benefit of maximum improvements possible, under the circumstances, in their structure of salary and allowances. It has also set another example by ensuring that a stable relationship exists between the political wing of administration and the serving officers; this it has done through the elimination of arbitrary procedures and practices in matters concerning tranfers, postings, etc. All this has been done not just to prove the democratic credentials of the government, but also to demonstrate its overriding concern for improving the state of administrative morale. At the same time, employees in general have to be persuaded that a structure of discipline improves the efficiency of government work; such improvements permit the administration to raise further resources, which in turn allows it both to expand significantly the employment opportunities and to liberalise further the provisions for staff benefits and welfare.

12.3. It is the Minister and the Secretary who between them hold a department together, supply it with its working elan, and contribute to the milieu in which work is done. On assumption of office, the Minister owes it to himself to review the standing orders with respect to the delegation of powers and responsibilities within the department. It is the

prerogative of the Minister, within the limits set by the Government's Financial and Business Rules, to effect changes in these orders in such a manner as would improve the efficiency of work within the department; whatever reorganisation of administrative arrangements is felt conducive to better performance should be undertaken by him without any hesitation. But it is equally the Minister's duty, and the Secretary's obligation, to ensure that, once the orders and rules are set out, they are conformed with.

12.4. The Committee has no illusion that merely because of improvements in the physical environment, either the quality of work or the enforcement of discipline can improve in any marked manner. Irrespective of the other circumstances, accountability will always need to be enforced. Administrative discipline must apply to employees of all categories, and irrespective of their rank and affiliation. Each employee should have a precise job description worked out for him or her; the departmental manuals will indicate the contours within which different categories of employees are expected to function. It is a matter of concern that departmental manuals have tended to be taken for granted; in the case of many departments, they have neither been maintained on a regular basis nor brought up-to-date. These deficiencies should be corrected in the course of the present fiscal year. Each departmental manual must indicate the broad areas of responsibility within which all employees, from the Secretary downwards, will have to function. Provisions in the Secretariat manuals will, from time to time, be supplemented by standing orders approved by the Minister.

12.5. Once the job specifications are clearly indicated, an employee, in the performance of his work, will be answerable to his immediately superior officer; the latter will have the responsibility for enforcing accountability, pertaining not only to the matter of attendance, including regular arrival in, and departure from, office, but also to the general attitude to performance and work.

12.6. The Open Performance Reports for Groups D, C and B should be objectively drawn up and duly filled in. It is for consideration whether the format of these Reports should not be made somewhat even more objective, so that no element of bias creeps in the assessment of the work of an employee; this might call for different forms for different categories of employees. There may be a case for reviewing the format of the Confidential Annual Report for Group A employees too, and for making it more appropriate for objective assessment. Once the compilation of the Reports is made fool-proof against subjective considerations, there should be little scope for apprehension either that a superior officer will be subject to pressure while preparing the Open Performance Report, or that his report will be motivated. In any case, the employee himself will have the opportunity to append his remarks on the assessment of the superior officer and the totality should be taken into account in assessing performance.

12.7. An employee, whose merit is beyond dispute, will have credit accruing to him through the Open Performance Report; this merit will also be reflected in his performance in the objective test we are recommending in a subsequent section as an integral part of the promotion process.

12.8. If merit has its own awards, performace which is unsatisfactory, if not worse, should also have its own consequences. It is the Committee's considered judgement that where an employee has been repeatedly found guilty of breach of discipline and, in other respects too, his performance is disappointing and has even caused grievous harm to the interests of the Government, modalities should exist, and should be enforced, for punishing such an employee. In the social system we have inherited, it is not possible to dispense with the instrument of punishment and yet excpect the work of the Government not to suffer. The enforcement of discipline must apply at all levels of administration.

12.9. The modalities of discipline we have in mind should include not only suspension and reduction in salary, but also denial of increments and promotions, transfers and similar other measure, including, in extreme cases, compulsory retirement. It should be the prerogative of the Government to remove from employment, in accordance with law,

an employee for grave dereliction of duty after giving him due notice and after observance of the due processes of law.

12.10. To encourage the spread of a democratic environment which is conducive to work and at the same time can help to improve the quality of discipline, a joint consultative machinery be set up in each department, as an adjunct to the Staff Welfare Unit, with appropriate representation from the employees themselves. The Government may also consider whether special administrative tribunals could not be set up under statute to deal with cases involving disputes between the Government and its employees.

12.11. The Committee feels that, since two Saturdays during every month have now been declared as non-working days, there is scope for reducing the total number of State Government holidays for the observance of festivals, etc. Because of the hang-over of the procolonial days, there is, even today, a tendency on the part of many employees to dissociate themselves from the programme of work of the Government. The urge to go on leave on the flimsiest pretext and to appeal to the authorities to declare a holiday or a half-holiday whenever eminent persons, former employees or departmental colleagues die, reflects their disinterest for work. It is for the Government to transform the ethos which insists on honouring the memory of a departed individual through a vacation from work into something qualitatively different.

12.12. The State Government has accorded to its employees rights that are unique in the Indian milieu. The employees owe a corresponding obligation to respond with devotion and enthusiasm to its call to fulfil their obligations. They, as much as the political leadership who form the policy and programmes of the Government, are, in the ultimate analysis, answerable to the people. It is important that this accountability is explicitly written into the administrative arrangement decided upon.

12.13. The Committee would end this section by reemphasizing a matter earlier referred to. For enforcement of discipline, much depends on the leaders of the department, namely, the Minister and the Secretary, and on the response they are able to evoke from the employees at various levels. If they do not spare themselves, the employees too, the Committee feels, will not.

13. APPOINTMENTS, TRAINING AND PROMOTION POLICY

13.1. A number of suggestions have been made by us concerning the reorganisation of the State Administration. It is our belief that the implementation of the proposals will entail neither an enlargement of, nor a curtailment in the overall staff position of the Government. Any reorganisation however involves shifts and disturbances, and can give rise to an apprehension that both the prospects of promotion and the level of seniority of individual employees might thereby be affected adversely. It is therefore necessary, the Committee feels, for the Government to assure employees at all levels that their relative seniority will be duly protected, wherever necessary through the creation of shadow supernumerary posts; the consequential additional financial involvement will be of a notional nature.

13.2. The prospects of promotion present a more complicated picture. It is nonetheless the general experience that wherever, work is speeded up and efficiency improves, it leads to larger accretion of public revenue enabling greater expansion of Government activities. Efficiency does not reduce work or the prospects of promotion; in fact, it enlarges the scope of promotion. Be that as it may, the Committee is of the view that for encouraging and sustaining efficiency in State administration, prospects of promotion must expand at all levels. The Pay Commission appointed by the first Left Front Government has already made certain major recommendations in this connection.

The Committee hopes that the State Government's decisions in regard to those recommendations, announced in 1981, will be implemented in full without further delay. The significant improvements in the scales of pay and allowances of Government employees

following the implementation of the recommendations of the Commission would make service in the State Government much more attractive than previously at practically all levels. There still appears to be a need for a continuous review of the prospects of promotions. The Committee's suggestions in this regard are set out below.

13.3. At the moment, there is but limited scope of promotion for employees from Group D to Group C, and from Group C to Group B, and an extremely narrow scope for promotion from Group B to the bottom stratum of Group A. At all such levels, the pyramid should be considerably broadened. Little reason exists, for example, for Assistants and equivalent categories, both at the State headquarters and in the districts, not being offered the opportunity of advancement up to the level of even a Joint Secretary. A more liberal policy of vertical advancement is however feasible only if it can be ensured that quality will not be diluted and those who are promoted not only have the weight of seniority on their side but also that of tested merit. Improvements in this sphere can be brought about only on the basis of a long-term policy of personnel planning embracing all levels. The Committee hopes that the Department of Personnel and Administrative Reforms will be seized of the matter.

13.4. If the efficiency of the system is to be conserved and fostered further, considerations of merit can hardly be brushed aside while deciding on promotions. But since in a democratic system all sections of employees should have an equal chance of advancement, it is the obligation of the Government to see to it that employees at the lower ranges are imparted adequate training which can contribute to the improvement of their ability and qualifications, so that, even on the basis of merit, a fair proportion of them should be able to claim promotion.

13.5. The Committee therefore recommends an intensive system of training and instruction at all levels of administration. All employees, including Group D employees, should undergo induction training at the time of recruitment, and also attend periodic refresher courses. At the point of time when a section or sections of employees attain a measure of seniority, entitling them to be considered for promotion, they should, as a matter of routine, be provided with a course of training which could prepare them for the next stage of administrative responsibility. Depending upon the nature of duties and functions involved, such training could be imparted in the respective departments, or at the Administrative Training Institute of the State Government, or at some other technical institute.

13.6. The Committee further recommends that, on the completion of such training, an employee, who is on the threshold of promotion, should be asked to appear at an objective test. Promotion would depend upon a system of assessment with equal weightage given for seniority, the Open Performance Report or the Annual Confidential Report and performance in the objective test.

Such objective tests may be set, in consultation with the State Public Service Commission, by an Examination Committee on which there could be representation of the employees themselves; the test as such should however be rigorously confidential in nature.

13.7. This system of training-cum-objective tests should, in the view of the Committee, be applied in deciding cases of promotion at all levels of administration up to the level of Joint Secretary. Where All-India Officers have been inducted into the State Government, the procedure for their further advancement, should be fitted into the general procedure; they too must sit for such a test before being considered for promotion.

13.8. It is equally important that officers, who have attained the seniority of Joint Secretary and above, should periodically go back for further training and instruction. Even Secretaries to the Government should be encouraged to avail of training programmes organised by the Institutes of Management, the Administrative Staff College of India, the All-India Management Association and international agencies.

13.9. In view of the crucial role which it will have to play for organising courses and training programmes for all groups of employees, the Administrative Training Institute

should be drastically recognised. It should have a strong governing body presided over by either the Chief Minister or the Minister-in-charge of Personnel and Administrative Reforms, and its syllabi and courses should be carefully drawn in consultation with academic persons, administrative experts and political leaders. Its complement of staff and physical facilities should also be expanded. It must be offered the necessary logistical support so that courses and programmes could be organised in the districts and sub-divisional towns too.

13.10. The Committee would here like to refer to a number of other matters which have a direct bearing on the quality of State administration. The West Bengal Civil Service, and a number of other services corresponding to it, are the mainstay of the State administration. The Government has recently improved the structure of emoluments for the officers belonging to those services; their pay and allowances have in some instances been made even more attractive than those for some of the comparable All-India Service. The scope of promotion for them, however, remains severely limited. Perhaps the time has come for the State Government to take a decision whether some of the so-called ex-cadre posts, to which All-India officers are being inducted in relatively large numbers, should not be exclusively reserved for officers belonging to the State Services. If it is not feasible to earmark these posts specifically for State Service Officers, at least the relative allocation of such posts between All-India officers and State Service officers may be altered in favour of the latter. The Committee is further of the view that the number of posts reserved for the All-India Service cadres should be reviewed from time to time with a view to creating greater opportunities for able and efficient State Service Officers. It is equally desirable to offer tours of duty to service officers, including those belonging to the All-India cadres, with public Undertakings owned or managed by the State Government. Several technical positions available with the public Undertakings could be filled by officers belonging to the State Engineering and Technical Services. Positions at the managerial levels in such Undertakings could be thrown open to All-India and State Service Officers too, thereby helping to add a dimension to their experience as well as enlarging the prospects for their advancement.

13.11. In personnel planning as well as personnel training, the problems of the technical services deserve to be separately considered. Along with others, technical officers too must have enough scope for renewing their knowledge and expertise. They should of course be given the opportunity in the Administrative Training Institute to be trained in the administrative norms and rules of the Government. At the same time, they must also have the opportunity to learn about the more recent advances in the technical disciplines. Where necessary, arrangements may be made for such training in appropriate technical institutions.

13.12. A number of departmental services, more or less corresponding to the State Civil Service but which do not call for any specific technical knowledge or expertise, have been encouraged by the State administration, such as the West Bengal Co-operative Service, the West Bengal Food and Supplies Service, the West Bengal Labour Service and so on. It is for consideration whether these services should not be merged with the West Bengal Civil Service after due protection of seniority in individual cases.

13.13. Since the Committee is recommending an enlargement of the scope of lateral promotion right from the level of clerical positions up to the highest echelons of administration, it is important that the quality of personnel recruited at source is not diluted beyond a point. It would therefore recommened that, for future recruitments at the level of Lower Division Assistants, the standards hitherto applied for the recruitment of Upper Division Assistants be enforced.

13.14. Complaints have been made that vacancies in Government cannot be filled up in time because of delays in the procedure of selections in the State Public Service Commission. The Committee has examined the matter. It is satisfied that, in the majority of cases, the responsibility for such delays rests with the administrative departments. It is only fair

that the Commission should be given a minimum period of 4 to 5 months for making selections against vacancies. It has not been altogether uncommon in recent years for a reference being made to the Public Service Commission for selecting a replacement barely a fortnight or a month before the vacancy is due. This could have happened on account of slipshodness in the concerned department, or this could be the by-product of a charade whose intention is to ensure the re-employment or extension of service of the individual about to retire. The incidence of such cases can be drastically reduced if re-employment and extension of service are completely dispensed with and the department which defaults in sending references to the Commission in time is made to suffer the consequences of such dereliction of duty.

13.15. In each department and directorate a procedure can be established whereby, on the first day of each month, the Secretary of the department or the head of the unit would call for the papers of individuals due to retire exactly one year hence.

It will be his duty to pass orders so that requisitions are sent to the Public Service Commission in the course of the next month to fill up the prospective vacancies; on the first day of the month, the Secretary will personally check whether the requisitions have been despatched. Once this system is followed, an accountability will be established and the pressure on the Commission reduced considerably.

13.16. It may also be desirable that the validity of he panels set up by the Commission, currently limited to one year, be extended up to a period of two years, if not at least up to 18 months, so that appointments, which involve an elaborate system of examinations, are not unduly held up. The Commission may also consider whether the time taken for the examination of scripts could not be further reduced through recourse to, wherever feasible objective tests.

13.17. The upper limit of the contingency funds with the Public Service Commission should be raised to such an extent that it does not experience any difficulty in meeting its contractual obligations at any point of time for the following three months; the funds may be replenished at the beginning of each quarter. The Commission ought to have the discretion to fix the rates of remuneration and allowances for examiners and experts in conformity with similar rates prevalent in the University of Calcutta.

13.18. The Committee's attention has been drawn to the current practice of offering extension of service to incumbent individuals on the plea that the rules of recruitment are yet to be framed and therefore the recruitment of a substitute is not immediately possible. It should be the responsibility of the head of the department or the unit to initiate measures at least one year ahead of the actual occurrence of the vacancy so that the rules of recruitment are available on time.

14. VIGILANCE

14.1. A precipitate decline has taken place in the recent period in national norms and standards of morality. The developing economic crisis has also contributed to the decline in ethical standards. The State administration has also been affected by this trend. All attempts at effecting a qualitative improvement in the functioning of the administrative machinery will be frustrated if the erosion in moral standards cannot be checked. It is in this context that the Committee strongly feels the need for a throughgoing re-structuring of the State Vigilance Commission.

14.2. At the moment, the Commission has been performing in a rather lack-lustre manner. Its resources are limited; cases referred to it are not promptly dealt with. As a consequence, employees, whose cases are referred to it, remain under a shadow for a long time even when there might be no concrete evidence against them. At the other end, even guilty parties continue to be in employment and without being punished, since the Commission cannot report with expedition.

14.3. Both developments affect the morale of employees. The Committee would suggest

that the State Government agrees to make the Vigilance Commission into a Statutory Body, and to strengthen it considerably with immediate effect. It must have a fairly sizable component of officers to process the cases referred to it. The personnel of the Commission should include not just policemen, but also lawyers and others with experience in general administration. It is not necessary that only members of the police force be placed in charge of the Commission's investigations. A number of investigations may relate to members of the police force itself, and a conflict of interests could then arise. The Commission should therefore have the discretion of selecting its personnel, including its investigating staff, from other spheres. This may however be done in consultation with the Public Service Commission.

14.4. The Commission should be in a position to report back all cases referred to it within a period of six months. If it cannot do so, it must forward the reasons for its inability, but in no case a further extension of time beyond three months should be allowed. Before cases are referred to the Commission, the departmental Secretary should undertake a preliminary enquiry and submit his recommendations to the Minister on whether a reference to the Vigiliance Commission is called for. The Minister will be at liberty to accept the Secretary's recommendation, or to reverse it. All cases where the decision is not to make a reference to the Commission should be forwarded to the Chief Minister for his information. The time taken for departmental proceedings too should not exceed six months.

14.5. In view of the nature of the post, it is desirable that the person holding charge as the Vigilance Commissioner should not be asked by the State Government to discharge any concurrent responsibilities.

15. HEALTH, EDUCATION, PUBLIC WORKS, AND LAND ACQUISITION

15.1. In this section, the Committee will set forth its views on a number of reforms it considers essential in four crucial areas of State administration: health and medical care, education, public works, and land acqusition.

15.2. A crucial area of the State Government's activities consists of the complex of functions revolving round medical education, health services and public hospitals. A marked deterioration in the effectiveness of Government endeavours in these spheres has taken place in recent years. While the expenditure on these activities has nearly tripled since 1977, no worthwhile improvements are discernible in the facilities provided, and the state of public discontent is high.

15.3. While district and primary health centres have been opened in large numbers all over the State, the complementary staff have often not been placed in position. While the staff are available, perhaps equipment and other facilities are lacking. All this has compounded the generic problem of a breakdown of discipline and standards of maintenance in most public hospitals; reports about corruption are also fairly widespread.

15.4. Along with that of others, the structure of pay and allowances of employees belonging to the health services, and of hospitals and health centres, has been significantly improved in recent years. But anomalies apparently persist in Government notifications. The dichotomy between practising and non-practising doctors is yet to be resolved. There is also a general feeling that, while specialised posts have been created in hospitals and colleges, particularly in Calcutta, beyond what might be strictly necessary in the present stage of social and economic development in the country, not enought attention has been given towards placing essential staff in several other hospitals and teaching institutions, particularly in the districts. The Committee was also told of the general dissatisfaction with the Government's transfer policy with respect to the personnel belonging to the health service. Subjective considerations appear to have affected the fair application of norms and rules set by the Government in the matter of transfers and postings, thereby creating disaffection all around. These anomalies may be sorted out after discussions with members

of the health service at all levels as also with other categories of employees. It is however essential for the maintenance of discipline in administration that no section of employees is permitted to exercise a veto over decisions arrived at following the widest consultations and discussions; at a certain point, strong action will be advisable against whichever group of employees assume that official directives do not apply to them.

15.5. It is also for consideration whether medical care could not be decentralised in the city of Calcutta. In the overwhelming majority of cases treated in Government hospitals here, no hospitalisation as such is called for. What is needed are advice and medication. which could be organised in polyclinics set up in different locations in the city. Officers belonging to the State Health Service could be attached to these polyclinics. An arrangement of this kind, the Committee believes, will substantially relieve the load on the hospitals. Treatment at the polyclinics should be on a paying basis for those above a certain level of family income. An alternative arrangement would be to make member-ship of such polyclinics contingent upon payment of a regular monthly fee for those with a family income above a certain range. In such cases, a provision may also be made for collecting a separate charge for the supply of medicines.

15.6. Hospital administration should be rigorously tightened up. The eligibility of free treatment, as well as free supply of medicines, should be reviewed. There should also be a general re-structuring of the rates for hospital beds as well as for medication and other facilities, including surgical operations. Except in cases of emergency, those availing of the facilities of the Employees' State Insurance Scheme, the Central Government Health Scheme, the Railway Service Health Scheme, etc., should be precluded from availaing of the facilities which the State Government hospitals provide.

15.7. Encroachment of hospital compounds by squatters has been a major factor contributing to indiscipline and decline in hygienic standards. A series of clean-up campaigns, with no mercy shown to elements who trade with human lives, are necessary if the hospital system is to be saved. The Committee has little doubt that in case the Government moves with determination, it would receive the widest public co-operation.

15.8. The principal head of expenditure of the State Government is education, which now claims close to 25 per cent of the annual budget. Major qualitative changes in the educational system have taken place in West Bengal during the past six years. Unfortu-nately, the organisational framework for education remains more or less unchanged, caus-ing an almost intolerable burden at some points. The Committee would strongly urge that the State Government sets up another committee to review the entire structure of educational management in the State beginning with the primary level till the stage of university and technical education. In the next few paragraphs, we refer to only a few issues which, in our opinion, needs immediate attention.

15.9. In view of the massive increase in the number of schools—primary, secondary and higher secondary—the massive increase in the number of entrants to such schools, in the number of teaching and non-teaching staff, the improvements in the pay and allowances of the staff and the introduction of tuition-free education right up to the higher secondary stage, the load of work in the district inspectorates of schools has multiplied enormously. There has been no corresponding strengthening of the inspectorates. The Committee understands that a proposal for reorganising the school inspectorates was approved by the State Cabinet some time ago; the proposal has not been acted upon. But this task does not brook any delay. It is desirable that the district inspectorates are decentralised down to the levels of sub-divisions and blocks; many of the responsibilities with respect to individual institutions, such as selection of managing committees, selection of staff, sanction and disbursal of emoluments, etc., could be delegated to these decentral-ised entities. If the routine burdens are thus shared at other levels, the inspectorates will then be in a position to concentrate on academic inspection, which is specially called for during periods of rapid expansion. The district inspectorates, in association with the panchayat bodies, should be given the prerogative to exercise appropriate surveillance

over the functioning of the sub-inspectorates and other subsidiary units at the block and village levels.

15.10. A similar decentralisation should take place within the Board of Secondary Education which should be allowed to set up at least three zonal offices for better supervision of the examination system. The duplication of activities between the Directorate of Public Instruction and the Board should be reduced. One way to bring this about will be to authorise the Board to establish direct liaison with the District Inspectorates without the need for intermediation on the part of the Directorate.

15.11. Even within the Directorate, the scope exists for eliminating duplication of work and improving the disposal of cases by better rational distribution of work. Even though there is now a separate Director of Secondary Education and another Director of Primary Education, appointments and transfers within these Directorates remain the prerogative of the Director of Public Instruction and the Department. Such anomalies should be removed.

15.12. Since the bulk of maintenance funds for the six major universities in the State—Calcutta, Jadavpur, Rabindra Bharati, North Bengal, Burdwan, Kalyani, Bidhan Chandra Krishi- -are at present provided by the State Government, each proposal having a financial implication has to be cleared with the Government. The nearly interminable rounds of files moving between the university, the Education Department and the Finance Department can be ended if a system of block grants, say for a period of five years at a time, could be introduced. Once it is understood that the universities will be unable to approach the Government during these five years with fresh demands to cover their house-keeping operations, a system of block grants could help to avoid a lot of delay and irritation, speed up activities in the university and, at the same time, reduce the workload for the Government. The grants due to a university could then be released, subject to the due submission of utilisation certificates, in regular quarterly instalments. Such a system should also act as a deterrent to the practice of universities to take decisions unilaterally on issues having financial implications.

15.13. Our attention has been drawn to an anomaly in statutes which affects Government-university co-ordination. Secretaries to the Government, who are statutory members of the executive bodies of universities, are often unable to attend meetings of such bodies because of other work. Since, under the law, they are unable to send their representatives, important work is held up. The necessary changes in statute to remedy this disability may be introduced.

15.14. A point, repeatedly stressed before the Committee, concerns the pace of Government construction. Under the existing Business and Financial Rules, most Government construction have to be done under the auspices of the Public Works Department; the Administrative Departments are supposed to place their funds with the P.W.D. so that the necessary constructions could be effected. A provision exists whereby a department may seek to opt out of this arrangement, but it is not generally made use of. Some departmental representatives have mentioned that their budgeted funds for construction are not often fully utilised because the P.W.D. decides its own priorities of work. On the other hand, it has been suggested that the different construction programmes are re-scheduled by the Public Works Department in view of the fact that its resources are under some strain. The fault in some of the latter instances, it is claimed, does not really lie with the Public Works Department, because releases from the Finance Department tend to be insufficient to cover the cost of all construction works and the P.W.D. is constrained to concentrate its activities in some areas, so that the other departments suffer. An examination of the relevant data however indicates that delay in construction has happened not just because of meagre releases of fund by the Finance Department, but even otherwise Occasional scarcity of raw materials and inputs cannot also fully explain this divergence between sanctions and actual expenditure.

15.15. We have elsewhere in this report recommended major expansions in Govern-

ment construction during the next few years. If these recommendations are accepted and implemented, the physical quantum of Government construction will be more than doubled. It is for consideration whether the P.W.D. could by itself cope with the much heavier responsibilities this is likely to entail. We would therefore suggest that the more important departments, with major programmes on the anvil, should each be allowed to have their own construction and engineering cell to enable them directly to undertake construction work. These departments may include Health, Education, Home, Personnel and Administrative Reforms, and a few others. The requisite technical personnel may be placed with the departments for this purpose from the common pool of the State Engineering Service. There may initially be a central cell for planning and architecture; this matter can be reviewed after an interval of time.

15.16. The Committee is also of the view that, wherever necessary, the Financial Rules should be properly amended so that each department or unit is enabled to undertake repair and maintenance works, and to purchase spares and other necessary materials for the purpose, without prior clearance from the P.W.D.

15.17. The Committee's attention has been drawn to the inordinately long time it currently takes in the State to complete the process of public acquisition of land. It is desirable that some reforms are introduced which could telescope the elongated procedures for land acquisition.

15.18. At present, the District Magistrate is authorised to initiate proposals for acquisition with respect to property worth only up to Rs. 1 lakhs; for the Divisional Commissioner, the ceiling is set at Rs. 2 lakhs. In view of the substantial price increases that have taken place in recent years, it would be realistic if these limits are raised to Rs. 3 lakhs for the District Magistrates and Rs. 6 lakhs for the Divisional Commissioners.

15.19. Another difficulty in the present procedures is that the District Magistrate must send his proposals through the Divisional Commissioner to the administrative department concerned, which will in turn proceed to take steps to obtain clearance from the Land and Land Reforms Department, the Divisional Commissioner too has to route his proposals in a similar manner. The redtape involved could be eliminated if a copy of the proposal initiated by the District Magistrate or the Divisional Commissioner is forwarded directly to the Land and Land Reforms Department, which can then process the matter with expedition. If either the Divisional Commissioner or the administrative department concerned have any views on particular requests forwarded in this manner, such views could be communicated separately.

15.20. The third change we propose is with respect to the publication of notices. At present it is stipulated that such notices must be published in the State Gazette; this is one of the principal factors contributing to delays in acquisition. Necessary statutory changes may be effected making it legally valid to publish the notifications in newspapers or in an official journal such as *West Bengal* or *Paschim Banga*; the date of notice could be counted from the date of publication in these papers.

15.21. Special arrangements may be made for clearance of cases of land acquisition, which are affected by the provisions of the Urban Land Ceiling Act, where the requests emanate from public undertakings such as the West Bengal Industrial Development Corporation or the West Bengal Small Industries Corporation. A special officer may deal with such cases and report directly to the Minister.

15.22. Finally, for cases of acquisition of property valued at more than Rs. 10 lakhs, there may be a Standing Committee of Secretaries presided over by the Member, Board of Revenue which will meet once a month and clear pending cases. Where ministerial consent is necessary, such consent may be sought before a particular item comes up before the Committee of Secretaries.

16. LEGISLATIVE AND JUDICIAL ADMINISTRATION

16.1. An important facet of Government work is the interaction between the administration and the legislative body. Problems have been encountered in the conduct of the proceedings of the State Assembly because of difficulties with the printing press. This problem needs immediate attention. If the West Bengal Government Press is not in a position to improve its working, the Speaker of the Assembly should be offered facilities to have under his jurisdiction a full-fledged press; otherwise a press currently under the control of the Government and having the requisite capacity, be placed at his disposal.

16.2. It has been mentioned that answers to Assembly Questions are often held up because of a failure of communications between the office of the Assembly and the departments. The Committee is of the view that an officer of the level of Joint Secretary or Deputy Secretary should be assigned in each department with the responsibility for liaising with the Assembly, so that all documents and papers called for in the conduct of the Assembly's work are processed and despatched according to schedule.

16 3. As per rules, Committees of Legislators submit periodical reports on the activities of the Government, such as the Public Accounts Committee, the Committee on Public Undertakings, the Committee on Subordinate Legislation, etc. Government departments do not appear to give proper attention to the suggestions contained in these reports and in the reports of the Comptroller and Auditor-General. It is desirable that the concerned departments prepare a memorandum on each such report detailing their responses to the observations contained in it; after approval of the Cabinet, this memorandum should be laid on the floor of the Assembly, so that the Members of the Legislature are kept informed of the follow-up measures undertaken.

16.4. The Committee held discussions with the Judicial Minister, the Chief Justice, Calcutta High Court, the Advocate-General, the Legal Remembrancer and a number of others on the problems of judicial administration. It was mentioned that the physical facilities currently made available to the judiciary need considerable improvement both in Calcutta and in the districts. Certain privileges and amenities, which are available to those belonging to the administrative wing of the Government, should also be offered to members of the judiciary.

16.5. The huge backlog of cases in the Calcutta High Court, as well as in the lower courts, is a matter of the utmost concern. The total number of such cases in the State will be in the neighbourhood of one million; several thousands of them are pending for more than a decade. Certain aspects of this matter are beyond the pale of the State administration. However, insofar as a qualitative change in the situation can be brought about by improving the physical and other conditions in the courts and by a more energetic pursuit of official cases, the Government, the Committee hopes, will initiate the necessary measures.

16.6. The desirability of establishing separate legal cells in each of the major Government departments was stressed in the submissions before the Committee. The Committee endorses this point of view. Such legal cells may consist of a core of officers, with appropriate legal background, who will have the responsibility to process and supervise the conduct of all cases in the city courts, including the High Court, where the Government is either the prosecutor or the respondent. In each department, an officer should be designated for the purpose on whom all formal court notices are to be served. Each departmental legal cell should set up its own panel of lawyers subject to the formal concurrence of the Advocate General and the Legal Remembrancer. Payment of fees for conduct of cases should also be decentralised in the departments.

16.7. Problems of coordination arise in the conduct of cases both at the district and the subdivisional levels. The Committee is of ihe view that the Legal Remembrancer may have three regional Deputy Legal Remembrancers working with him. The DLR's will assume the responsibility for the overall conduct of official cases in the districts. They will

coordinate the work of the Public Prosecutor and the Government Pleader in each district, and also ensure proper liaison with the office of the District Magistrate and the local police authorities.

16.8. The highest court in the State is the Calcutta High Court. It is important that the closest administrative link is maintained between the Government and the High Court in the interests of jus ice. There are administrative problems of a day-to-day nature which the High Court faces; it has to depend upon the State Government to sort these out. It may be useful to establish a Liaison Committee with a nominee of the Chief Justice as Chairman and the Judicial Secretary, the Finance Secretary and the P.W.D. Secretary as members, which may be authorised to review every quarter the outstanding problems of the Court with respect to physical and other amenities, and take immediate decisions.

17. LIAISON OFFIC. IN NEW DELHI

17.1. The State Government has to maintain a major presence in the nation's capital This is necessary not only because of the dependence of the State administration on the flow of resources from the Union Ministries, or because of the present delicate state of Centre-States relations. The National Parliament sits in New Delhi, and the State's representatives in Parliament play an important part in assisting the State Government in its various transactions with the Union Government. It has been the experience of other State Governments that an effective liaison office in New Delhi facilitates dealings with the different Ministries. Such a Liaison Office can speed up the release of funds from the Ministry of Finance and other Ministries, and keep Members of Parliament informed on issues concerning the State which might be raised on the floor of Parliament or on issues where intervention by the MPs could help the induction of a Central project in the State. New Delhi is also these days an important centre for the dissemination of national and international information. An efficiently-run Liaison Office in New Delhi can therefore be a most effective focal point for distributing news and information about the programme and activities of the State Government.

17.2. The condition of the Liaison Office the State Government at present maintains in New Delhi is disappointing. Although there is a Special Commissioner for liaison work with the rank of Secretary, he does not even have jurisdiction over the staff of, for instance, the Departments of Information and Cultural Affairs, Transport and Public Works located in New Delhi. This arrangement deserves to be radically changed. The Commissioner for liaison work should be placed in charge of all personnel of the State Government working in New Delhi irrespective of their departmental affiliations; all activities in the nation's capital should be carried out under his guidance and co-ordination. The office needs considerable augmentation of staff. Apart from the Commissioner, it is important that another officer is placed with the office who had held a tenure in New Delhi either with the Ministry of Finance or the Ministry of Industry, and can therefore maintain regular contacts with these two Ministries. The office should set up a proper filing system so that detailed information of all cases and problems which need to be discussed in New Delhi, in addition to general facts and information pertaining to the State, are available on tap.

17.3. The departments must, as a matter of course, forward to the Liaison Commissioner copies of their correspondence with Union Ministries and other agencies and institutions in the nations' capital; they should also adequately brief the liaison office on the follow up measures they would expect it to undertake. In certain matters involving technical details, the presence of officers from the State headquarters facilitates discussions with the Union Ministries. In the majority of cases, however, the Liaison Commissioner, given his contacts and provided he has the proper attitude and temperament, should be able to do the work more effectively than officers travelling from Calcutta. A system should be established, either in the Chief Minister's office or in the office of the Chief Secretary, so that all enquiries made by the New Delhi liaison office are processed and res-

ponded to with speed   It is desirable that the liaison office is attached to the Chief Minister's office

17 4 The Liaison Commissioner will have to maintain contacts not just with the Union Ministries but also with other State Governments, and sometimes with representatives of foreign missions too. He should also organise periodic meetings where discussions could take place with members of Parliament. It is therefore desirable that a liberal allocation of funds is made for this office specifically for the purpose of hospitality.

17.5. This leads the Committee to refer to another fairly important issue. In the course of the past six years, a great resuscitation of interest has taken place on the part of the rest of the nation about West Bengal and the activities of its Government. This interest has percolated even to foreign lands. Unfortunately, the quality of hospitality accorded by the State administration to representatives of the Union Government, representatives of the other State Governments, Members of Parliament, Legislators from other states as well as foreign dignitaries, leavesa great deal to be desired. The residential arrangements, both at the State Guest House and in the Legislators' Hostel, are, to say the least, chaotic, and often even lack in elementary hygiene; the arrangements for transport, etc , are also not in consonance with the reputation the State Government enjoys. On this matter, the State Government need not be at all on the defensive. Its Ministers have set an example of economy in expenditure and frugality in living standards to the rest of the nation. But where it is a question of offering hospitality to others, we should be at par with what other Governments are capable of offering. The Committee hopes that the matter will be examined with due earnest and generous provisions made for improving the quality of State hospitality.

18. SOME RESIDUAL ISSUES

18.1. References have been made before the Committee to bottlenecks developing in Government activities because of non-availability of forms, ration cards, service books, etc. We have earlier noted our concern at the fact that proceedings in the State Assembly have been hampered because of delays in printing of papers and documents in the Government Press. Such a situation cannot be allowed to continue. According to our information, not even one-third of the capacity of the West Bengal Government Press is being currently utilised. There is enough scope for increasing the output from this press, in case necessary by adding to the number of Shifts. A number of other printing presses too are either directly owned by the Government or managed by it. It should be possible to distribute the total load of official work among the Government-owned presses; the Superintendent of printing may be designated as printer where the formalities have been satisfied. Some of these printing presses are under the immediate jurisdiction of individual departments. It is for consideration whether, to facilitate co-ordination, their activities should not be centralised either in the Chief Minister's office or in the Department of Information.

18.2. In certain circumstances, even those presses which are not owned, but only managed, by the Government, may be made use of for printing official papers and forms not altogether of a confidential nature; where confidentiality is to be maintained, the necessary measure of security could be provided by Government.

18.3. In its dealings with the public, as well as for other purposes, the State Government makes use of several forms. These forms, the Committee feels, should be drastically simplified and also made available in Bengali, Nepali and other languages in use. The Government's revenue collection is likely to show significant improvement if forms currently used in connection with, for example, the collection of the Multi-storeyed Building Tax, Sales Tax, Professions, Tax, etc., could be made simple and short. Even information from the panchayat bodies are likely to be obtained more quickly and in greater detail if forms are couched in simple terms and in the local language.

18.4. It is futile to expect a speeding up of the administrative process if notices and

other communications from the State headquarters to districts, subdivisions, blocks and villages are not addressed in Bengali and the other local languages. No reason except that of inertia can explain this delay in the change-over. The Committee would suggest that the necessary measures be initiated and instruction be issued to the effect that with effect from April 1, 1984 all communications from State headquarters to the districts must take place in Bengali and the other local languages; any contravention of the instruction should invite disciplinary proceedings. It must also be ensured that the construction of sentences in such notices and communications is simple and straight forward, thus eliminating the scope for any ambiguity in meaning.

18.5. There is need, the Committee feels, for a central publication which will carry all Government tender notices, as well as other official notices such as with respect to appointments in public positions, acquisition of land, etc. One suggestion would be to use the Government journals, *West Bengal* and *Paschim Banga*, and the other associated publications, as the forum for publication of such notices. This will not only reduce the Government's outlay on advertisements, but will also strengthen the commercial viability of the Government journals.

18.6. The Committee views with the gravest concern the irregularity in the publication of the State Gazette. Because of this irregularity, many departmental activities, which are subject to the statutory constraint of notifications being published in the State Gazette have been adversely affected. If conditions in the West Bengal Government Press cannot be improved and publication of the Gazette cannot be brought back to regularity, statutory changes may be thought of in a number of cases, as in the case of land acquisition suggested earlier, waving the stipulation of publication of notices, etc., in the State Gazette.

18.7. The Committee would now venture to refer to a matter directly related to morale and efficiency in State administration. Even on matters on which the Government is yet to take a decision and the issues involved are being discussed internally, ministers, and sometimes departmental officers, either on record or off record, have been observed to make comments to the press. Even inter-departmental debates have been carried out in public forums, and through the press, in complete breach of the principle of collective responsibility. No administration can be run effectively if it is exposed to this kind of public glare, and the press is sought to be used to score over one's colleagues.

The Chief Minister, as leader of the team, should set down a code of conduct in such matters, which must be rigorously followed by Ministers as well as officials and other employees. It is equally desirable that each department has only one spokesman for the press, who is properly briefed by either the Minister or the departmental head.

18.8. The Government of West Bengal has extended, in an unprecedented manner, the rights and prerogatives of its employees, and has conceded to them the fullest freedom of expression. A piquant situation can however arise if an employee would claim the protection of this right to oppose actively the policies and programmes of the Government, or use his official position to criticize in public a Government decision or measure. The Committee urges that this matter be reviewed and necessary amendments made in the Service Rules.

18.9. There is an aspect of deviation from administrative discipline to which the Committee's attention has been drawn. Even where technical divisions or field offices have been set up for ensuring speedier implementation of development projects, such divisions or offices have been located at the State headquarters, thus frustrating the very purpose of their establishment. The Committee recommends that a review of such divisions, branches and offices be immediately undertaken, and these be either shifted to their respective appropriate locations or closed down.

18.10. There are several problems in police administration which have their impact on general administration. In view of the complex nature of the issues involved and the shortness of time at its disposal, the Committee has chosen not to enter into this sphere in any detailed manner. It would suggest that the Government may consider appointing

another Committee to review the present structure of police administration and suggest necessary reforms.

18.11. It would seem that considerable scope exists for improving the functioning of the Directorate of Weights and Measures to ensure the enforcement of State laws and to eradicate corruption. Obviously, any such improvement will call for close co-ordination among several administrative departments. Chief Secretary may convene a meeting of the concerned departments once every quarter to review the problems and issues that may arise from time to time in the enforcement of the relevant rules and statutes.

19. BUSINESS, FINANCIAL AND SERVICE RULES

19.1. Our terms of reference ask us to indicate the changes necessary in the Rules of Business, Financial Rules and Service Rules to bring them in conformity with the reforms suggested by us. As far as possible, we have indicated such changes *in passim* while offering our views on administrative reforms in specific areas. Once the Government has finalised its views on our Report, a Committee of Secretaries headed by the Chief Secretary may go into the matter and forward its recommendations to the Cabinet.

19.2. Certain other changes in the Rules are, however, called for. For example, the Rules of Business, in indicating the allocation of business among the departments, continue to mention the subject of preventive detention (Home Department, Part II, items 16 and 18) despite the State Government's declared policy against enforcing detentions of this nature. These anomalies may be removed.

19.3. In view of the sharp rise in the price level during the past twenty years, many of the financial stipulations, such as about imprest funds or limits of contingency expenditure permissible for subordinate offices, have become unrealistic and should be reviewed. This task too may be remitted to a Committee of Secretaries.

19.4. The Committee has a few other suggestions for amendment of Rules with a view to speeding up the disposal of administrative work. A lot of inter-departmental file work can be eliminated if all so-called temporary posts of a permanent nature, are declared as 'permanent' thereby obviating the need for periodic retention of such posts.

19.5. Payments to the Government by cheques drawn on any nationalised bank should be encouraged, and the necessary changes in Rules may be done after consultation with the Accountant-General. There is equally firm ground for suggesting that payment of salary by cheque to Government employees drawing a basic salary of Rs. 750 per month or above be made compulsory; such employees may be asked to open bank accounts to which the cheques will be credited each month. Whatever amendments are called for in the Financial and Service Rules to enforce such changes may be proceeded with.

20. CONCLUDING OBSERVATIONS

20.1. The proposals we have set forth in this Report have a relatively narrow ambit. It could hardly be otherwise. Within the present constitutional framework, there are limits beyond which reforms even in the State administration cannot be pursued. An inter-locking system of administrative, legislative and judicial arrangements binds the Centre and the States to one another. Our Committee, in making its recommendations, had to take cognisance of this reality.

20.2. The Committee has also no illusion that its suggestions regarding administrative reforms, even if accepted and implemented in full, will by themselves bring about a major qualitative improvement in State administration. A system, and the quality of its performance, are determined not so much by rules and codes, but by the sense of commitment on the part of those who are involved in it. Unless such a commitment pervades the administration at all its levels, the Committee's recommendations by themselves are unlikely to

transform the situation. The Committee has every confidence that State Government employees at all levels will offer their fullest co-operation to the political leadership so that the administrative reforms proposed in this Report could significantly advance the welfare of the people of West Bengal.

SUMMARY OF RECOMMENDATIONS

1. Both the area and the population of an administrative unit should be such as not to cause strain on the machinery of administration. (para 2.1)
2. The optimum size of a district should be determined in terms of a total population size of 15 to 20 lakhs. (para 2.2)
3. The bifurcation of 24-Parganas may be expedited and a similar bifurcation of Midnapore and Burdwan may be considered. (para 2.2.)
4. The seat of administration for West Dinajpur may be shifted from Balurghat to Raiganj. (para 2.2)
5. Some of the bigger subdivisions, blocks and police stations may be reorganised. Blocks, police stations and revenue units should be coterminous. (paras 2.3 2.4)
6. The principal executive officer of the districts of Darjeeling, Jalpaiguri, Cooch Behar and Purulia may be designated as District Magistrate instead of Deputy Commissioner. (para 2.5)
7. The Department of Home (Transport) should be re-named as the Transport Department (para 3.2)
8. The Home (P & AR) Department should be re-named as the Personnel and Administrative Reforms Department and organically separated from the Home Department. (para 3.3)
9. There is a strong case for dismantling the Department of Public Undertakings and transferring the units currently under its control to the jurisdiction of the respective operational departments. (para 3.4)
10. Programmes and activities for Non-Formal Education may be integrated in a Department of Non-Formal Education, Libraries and Cultural Affairs (para 3.5)
11. A Department of Higher Education may be set up as distinct from the Department of Primary and Secondary Education. (para 3.6.)
12. The Department of Information and Cultural Affairs may be bifurcated. (para 3.7)
13. The responsibility for the promotion of sports may be transferred to the Department of Youth Services, which may be re-named as the Department of Sports and Youth Services. (para 3.9)
14. The Department of Environment may either be merged with the Department of Health and Family Welfare, or enlarged to form a Department of Environment, Sanitation and Water Supply. (para 3.10)
15. The West Bengal Small Industries Corporation may assume the role of a holding company in relation to, apart from the West Bengal Handicrafts Development Corporation. the West Bengal Handloom and Powerloom Development Corporation and the West Bengal Leather Industries Development Corporation. (para 4.2)
16. The West Bengal Industrial Infrastructure Development Corporation, the West Bengal Sugar Industries Development Corporation, the West Bengal Tea Development Corporation and the West Bengal Ceramic Development Corporation may be merged with the West Bengal Industrial Development Corporation. (para 4.2)
17. The West Bengal Live Stock Processing Corporation may merge with the West Bengal Dairy and Poultry Development Corporation. (para 4.2)
18. The activities of the Calcutta Metropolitan Water and Sanitation Authority, the Calcutta Improvement Trust and the Howrah Improvement Trust may be gradually integrated with those of the Calcutta Metropolitan Development Authority. (para 4.6)
19. In view of the overlapping functions between the West Bengal Forest Development

Corporation and the Directorate of Forests and between the West Bengal Tourism Development Corporation and the Directorate of Tourism, the Directorates may be abolished and their staff transferred to the respective Corporations or Departments. (para 4.7)

20. A system of pre-budget scrutiny should be introduced. Each Department should prepare proposals for the following financial year by August 15 of the preceding year. Working Groups consisting of the representatives of Operational Department, the Finance Department and the Department of Development and Planning may examine such proposals and make recommendations which will be placed before a Committee of Secretaries. After discussion, the budget proposals and the proposals for the Annual Plan should be forwarded to the Cabinet. (para 5.6)

21. Once the procedure of pre-budget scrutiny is introduced, amounts voted for an individual department should be released in four quarterly instalments without further scrutiny in the Finance Department. (para 5.7)

22. Each Department must maintain a monthly system of running audit; such audit must not fall behind in time by more than two months. (para 5.7)

23. If a Department is unable to spend a substantial portion of its allotment for a quarter, the Finance Department will have the discretion to make adjustments in the releases for the subsequent quarter or quarters. (para 5.7)

24. Each important department should have a Financial Adviser. (para 5.8)

25. The Finance Department should be divested of its responsibility for looking after the personnel problems of Government employees, which should be transferred to the Department of Personnel and Administrative Reforms. (para 5.10)

26. The Bureau of Applied Economics and Statistics may be transferred from the Finance Department to the Department of Development and Planning. (para 5.12)

27. The Excise Department should work in close collaboration with the Finance Department. (5.14)

28. Each major department may have its own accounts office under the charge of the Financial Adviser. (para 5.15)

29. The State Planning Board should, in consultation with the Finance Department, recommend the overall size of the State Plan and the allocation of resources between individual departments. (para 6.2)

30. In the demands for grants, the overall allocation for the districts under each head should be shown separately. (para 6.3)

31. The responsibility of administration in all its aspects may gradually be shifted to the Zilla Parishad; the urban areas in a district may also be brought under the jurisdiction of the Parishad. (para 6.4)

32. For the present, a Standing Committee for Budget and Planning with representation from the Zilla Parishad and the Municipal Bodies, may be made responsible for the preparation of the district plan, its monitoring and supervision as well as for the allocation of funds and execution of work under non-plan heads. The Sabhadhipati of the Parishad may be the *ex-officio* Chairman of the Committee and the District Magistrate its principal officer. (para 6.4)

33. The district offices of all the Government departments should be made directly responsible to the Standing Committee for Budget and Planning for the preparation, co-ordination and execution of developmental as well as non-developmental work. (para 6.5)

34. Cases of re-employment and extension may be considered by a Cabinet Committee consisting of the Chief Minister, the Minister of Personnel and Administrative Reforms, the Finance Minister and the Minister to which the particular employee whose case is being considered belongs. (para 7.1)

35. The major part of the Cabinet work should be carried through three Standing Cabinet Committees: (*a*) Cabinet Committee for Rural Development, (*b*) Cabinet Committee

for Industrial and Urban Development, and (*c*) Cabinet Committee for Social Services The Chief Minister may consider to depute a colleague to act as Minister for co-ordination. (paras 7.2, 7.6)

36   There should be three Standing Committees of Secretaries corresponding to three Cabinet Committees. (para 7.3)

37.   Only such issues as cannot be resolved in the Cabinet Committees or which the Chief Minister considers important should be referred to the entire Cabinet (para 7.3)

38.   The Chief Secretary will be responsible for monitoring Cabinet decisions. (para 7.4)

39.   The Central Despatch Office may be decentralised. Each department or directorate should have its own despatch section. (para 8.2)

40.   A file vetted by a directorate should be processed in the department only at the level of the Secretary or a Joint Secretary. (para 8.3)

41.   Where activities have a strong technical bias, the dichotomy between the Department and the Directorate may be removed, the technical head formally designated as Secretary to the Department and the practice of having two Secretaries abolished. (para 8.4.)

42.   Within each Department, a Joint Secretary or a Deputy Secretary may be assigned the responsibility of preparing a weekly list of outstanding work pending with the Department. (para 8.6)

43.   The entire work of a department may be divided among a number of divisions. Each such division may be placed in charge of a Joint Secretary or a Deputy Secretary, and the responsibility for work may be collectively shared among the Joint Secretary/ Deputy Secretary, Assistant Secretary/Section Officer and other employees assigned to the division. (para 8.8)

44.   All notings should commence at the level of the Section Officer/Assistant Secretary and travel upwards. (para 8.8)

45.   Each departmental manual should indicate the duties and responsibilities of employees belonging to the different categories, the extent and nature of delegation and decentralisation of work of each employee, the arrangements for routing and the procedure for the disposal of files and cases. (para 8.8)

46.   The system of a Reference Clerk may be abolished. A Deputy Secretary in each Department will receive the incoming correspondence and files and assign them to the concerned division. (8.9)

47.   Where no new policy decision or new project is involved, no file should be detained at a particular point beyond three working days and in a department beyond a fort-night. Where it involves an issue of policy or a new scheme, the time limit should three weeks. In the case of inter-departmental reference, the time limit should be a fortnight for routine files and one month where inter-departmental discussion is called for. (paras 18.12, 18.13)

48.   All departmental officers at the subdivisional level should be instructed to be part of a coordinating group of which the Subdivisional Officer will be the central element. The one-line method of work should be forsaken and collective functioning accepted as the core principle. (para 9.1)

49.   There should be monthly meetings to be presided over by the Sabhapati of the Panchayat Samiti, where problems of block administration may be jointly discussed with the B.D.O. and the O.C. Similar meetings may be also arranged by the S.D.O. on a quarterly basis. (para 9.3)

50.   Employees from the State headquarters should be encouraged to have periodic postings in districts, subdivisions and blocks during the first 15 to 20 years of their carrer. (para 9.4)

51.   The District Magistrate should continue to act as principal officer of the Zilla Parishad. (para 9.6)

52.   The district police authority should report, and take general guidelines from, the

District Magistrate. (para 9.9)

53. An IAS officer of at least 9 years' seniority may be placed in charge of a relatively small district. Charge of a major district may be assigned to an IAS officer of at least 15 years' seniority. For State Civil Service officers inducted into the IAS, the minimum period should be 12 to14 years for holding charge of a relatively small district and 18-20 years for a major district. (paras 9.10, 9.11)

54 The annual induction to the Indian Administrative Service from the State Civil Service may be raised from the current level of 33 per cent to 50 per cent. (para 9.11)

55 The Divisional Commissioner may monitor development and non-developmental activities at the district, subdivisional, block and village levels. (para 9.13)

56. Departmental Secretaries, Financial Advisers, Divisional Commissioners, District Magistrates, Subdivisional Officers should inspect district, subdivisional and block offices at regular intervals. (para 9.14)

57. A Staff Welfare Unit may be attached to each department, directorate and the district headquarters. (para 10.1)

58. At least 2 per cent of the total annual expenditure of the Government should be earmarked for construction, including for residential purposes, for next five years. (para 10.5)

59. Arrangements may be made to move out of Writers Building a number of departments and directorates so as to reduce the number of employees by at least one-third by the beginning of the next financial year. (para 10.6)

60. Arrangements should be made so that employees get full pension and gratuity on the date of retirement. If the records are incomplete on the date of retirement, the employee should be entitled to receive full pension and gratuity on the basis of papers furnished by him. (para 10.11)

61. A Public Grievance Cell be set up in each department, major directorate and in each district administration. (para 11.3)

62. The departmental Manuals should indicate the contour within which different categories of employees are to function. The manuals should be brought up-to-date in the course of 1983-84. (para 12.4)

63. The present format of both the Open Performance Report and the Confidential Annual Report may be reviewed so as to make them more appropriate for objective assessment. (para 12.6)

64. Lack of performance and flouting of discipline should be punishable at all levels. Punishment may include suspension, reduction in salary, compulsory retirement, etc. (paras 12.8, 12.9)

65. A Joint Consultative machinery may be set up in each department as an adjunct to the Staff Welfare Unit. (para 12.10)

66. There is scope for reducing the number of holidays in Government. (para 12.11)

67. Prospects of promotion should expand at all levels, and the State Government's decisions on the Pay Commission's recommendations should be implemented in full without further delay. (para 13.2)

68. Assistants and equivalent categories, both at the State headquarters and in the district, should be offered the opportunity of advancement up to the level of even a Joint Secretary. Employees at the lower ranges should be imparted adequate training which can contribute to the improvement of their ability and qualifications. (paras 13.3, 13.4)

69. Promotion should depend upon a system of assessment with equal weightage given for seniority, the Open Performance or the Annual Confidential Report and performance at an objective test. This system should apply to all cases of promotion up to the level of Joint Secretary. (paras 13.6, 13.7)

70. The Administrative Training Institute should be reorganised; its complement of staff and physical facilities should be strengthened. (para 13.9)

71 The number of posts reserved for the All-India Service cadres should be reviewed with a view to creating greater opportunities for State Service officers. Service Officers, including those belonging to the All-India cadres, may be offered tours of duty with public undertakings owned or managed by the State Government. (para 13.10)

72. The Vigilance Commission may be made into a statutory body and its staff strengthened considerably.   The Commission should report back on all cases referred to it within a period of six months. The time taken for departmental proceedings too should not exceed six months. (paras 14.3, 14.4)

73. Medical advice and medication may be decentralised in polyclinics set up at different locations of Calcutta. (para 15.5)

74. Hospital administration should be tightened up and eligibility for free treatment and free supply of medicines, reviewed.   There should be a general re-structuring of the rates for hospital beds, medicines, surgical operations, etc. (para 15.7)

75. The State Government should set up a Committee to review the structure of educational management. (para 15.8)

76. District inspectorate of schools should be decentralised down to the levels of subdivisions and blocks. (para 15.9)

77. The Board of Secondary Education may set up three Zonal offices and may establish direct liaison with the district school inspectorates. (para 15.10)

78. A system of block grants, say for a period of five years at a time, may be introduced for the universities. (para 15.12)

79. The important departments of the Government should have their own Construction and Engineering Cell, the required technical personnel being placed from the common pool of the State Engineering Service. (para 15.15)

80. Necessary statutory changes may be effected so that land acquisition notices may be published in newspapers or in *West Bengal* and *Paschim Banga*. (para 15.20)

81. The departments should cause to be laid on the floor of the Assembly a memorandum of observations on the Reports of the Committees of Legislators. (para 16.3)

82. Separate legal cells may be established in each of the major departments; each such department should have its own panel of lawyers (para 16.6)

83. The laision office in New Delhi should be strengthened. (para 17.2)

84. General provisions should be made to improve the quality of State hospitality. (para 17.5)

85. All departmental presses may be centralised in the Chief Mininster's office or in the Department of Information. (para 18.1)

86. Government forms should be drastically simplified and be made available in Bengali, Nepali and other languages in use. (para 18.3)

87. Instructions may be issued that with effect from April, 1984 all communications from the State headquarters to the districts must take place in Bengali and other local languages. (para 18.4)

88. Government journals such as *West Bengal* and *Paschim Banga* may serve as the forum for centralised publications of all Government tender notices, other official notices with respect to appointments, land acquisitions, etc. (para 18.5)

89. A separate Committee may be appointed to review the structure of police administration and suggest necessary reforms. (para 18.10)

90. The financial stipulations, such as imprest funds or limits of contingency expenditure permissible for subordinate offices, should be reviewed. (para 19.3)

91. Payments by cheque to and from the Government should be encouraged. (para 19.5)

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EDITORIAL

THE THEME of alienation in the context of Marxian analysis has
been a matter of academic debate for long.   Karen E. Murphy
discusses its implications for public administration at
organisational and societal levels.   In his article, he has
given a fairly comprehensive survey of the literature on the
subject.   Another article by E. John Rizos will also be of
interest in this connection.   He takes into account his obser-
vation of the administrative scene in his own country, namely
Greece, but certain points that he makes have wider implica-

tions. He has titled his article as "The 'Tragic' in Public Administration". According to the author, the tragic refers to "a failure of the response pattern of public administration in the conduct of public affairs". As students of public administration and citizens, we are aware that the mutuality of rapport and understanding between the administration and the citizen is a matter of continuing quest in any democratic administration.

Preservation and restoration of environment is a high priority area for government action. But as governmental intervention in this regard has lacked effectiveness, voluntary organisations have started appearing on the scene to supplement and even correct governmental effort. R.B. Jain discusses role of these organisations, based in some of the Indian cities.

Harbhajan Singh Deol discusses in his article the much discussed issue of proper role of administrators and politicians. The inadequate level of relationship, which manifests itself at different times and in different forms, certainly impedes functioning of administration to the detriment of the citizen satisfaction. However, the author's general observations are of impressionistic nature and not backed by any specific research.

Patrick Igbinovia's article concerning personnel discord in East African Community and the Economic Community of West African States makes disturbing reading, more so, when there are high expectations from regional and international organisations. If pulls and tensions continue to prevail on personnel, who necessarily have to come from different sources, the very objective of such organisations may be defeated. Since the article is well documented and deals with an important subject, hopefully, it will stimulate healthy interest in the subject for remedial action and positive improvement.

We have a good deal of literature on problems of education in general but not much thought has been given to the management and administration of institutions of higher learning, the number of which has necessarily to increase in the developmental process. Inadequacies in management of these insti-

tutions very often distort their original objectives, result-
ing in wastage of effort and resources, more particularly the
latter for which a developing country is always very hard
pressed. It is in this background that M.R. Kolhatkar's
article on administration of the institutions of higher learn-
ing is both informative and thoughtful.

C.O. Omeh has analysed the changing features of budgetary
functions in the light of the law and practices as obtained in
Nigeria. Some of the difficulties that he has mentioned are
found elsewhere also. K.L. Handa's article, which covers a
much wider ground of governmental audit with a view to ensur-
ing performance and accountability, is of great relevance in
today's governmental working.

Chandra Pal, in his article on Centre-State Relations sur-
veys the literature on the subject and tries to identify the
main issues. In view of the current debate on the subject,
the contribution will be found informative and should stimu-
late further thinking. Another article by Wolfgang Schmidt-
streckenbach is of allied interest as it deals with the prob-
lems of administrative law in the Federal Republic of Germany.
The contribution is of importance as there is not much litera-
ture on the subject available in English. Besides, the
article brings forth the legal approach which has historically
been an important feature of the development of public admini-
stration in Europe.

This issue also carries a report by Anil Kumar Lakhina on
administrative reforms in the Collectorate of Ahmadnagar. The
author, as Collector, had initiated and introduced these
reforms which had considerable impact from the viewpoint of
public convenience, creating a good deal of interest in the
subject. In this case study, the author points out its limi-
tations as well as possibilities. As an attempt towards micro
level administrative reform, that too initiated by a bureau-
crat involved in the administration, the experience and obser-
vations as embodied in the document should lead to increasing
discussion on the subject of administrative reform at
different levels, particularly where the administration comes
in intimate and day-to-day contact with the people.

Besides the usual section of book reviews, we have a review article by N.R. Hota which discusses the problem of developing a philosophy of administration.

-- EDITOR

Alienation and the Marxian Paradigm :
Implications for Public Administration at Organisational and Societal Levels

KAREN E. MURPHY

> What the workers want most, as more than 100 studies in the
> past 20 years show, is to become masters of their immediate
> environments and to feel that their work and they themselves--
> the twin ingredients of self-esteem are important. Workers
> recognise that some of the dirty jobs can be transformed only
> into the merely tolerable, but the most oppressive features of
> work are felt to be avoidable: constant supervision and
> coercion, lack of variety, monotony, meaningless tasks, and
> isolation. An increasing number of workers want more autonomy
> in tackling their tasks, greater opportunity for increasing
> their skills, rewards that are directly connected to the
> intrinsic aspects of work, and greater participation in the
> design of work and the formulation of their tasks.
>
>   **-- Work in America**

WITH INCREASING frequency of change in contemporary society, one
observes the manifestations of alienation. In the discipline of
public administration, considerable attention is devoted to discus-
sion of alienation in public sector agencies. Strategies for
amelioration have been offered by early theorists in the areas of
human relations as well as contemporary scholars of organisation
development, such as Chris Argyris. However, one must carefully
ascertain the meaning of alienation adopted by particular theorists
and not perceive it as another 'buzz word', like 'management by
objectives' or 'planning, programming, budgeting system'.

    Alienation may be defined within the context of a micro-organisa-
tional level or at the macro-societal level and suggested solutions
should be delineated appropriate to the level. As George Najjar
observed, resolution of problems at the shop or micro-level may be
misplaced and transformed into a macro-level theory. This misplace-
ment might occur in discussions regarding alienation, and hence, one

must clearly comprehend the levels of analysis and solutions to alienation postulated by scholars.

The purpose of this article is to define the concept of alienation in order to clarify understanding of this nebulous, pervasive term. Can one properly discuss alienation at an organisational level or is it solely restricted to denoting conditions at a societal level? Are shop level solutions, which partially alleviate alienation in organisations to be considered worthless since they may have little impact upon society? Is there value in less grand intervention than societal redesign? Is the term alienation itself estranged and twisted into forms never intended by its originators? Might this lead to distorted remedies and inappropriate strategies?

For the purpose of this article, I shall consider only the contemporary notion of alienation as defined by Karl Marx. Furthermore, I shall restrict myself to the description provided by Marx in 'Alienated Labour' which is contained in the **Economic and Philosophical Manuscripts.**[1] Some theorists maintain that Marx abandoned his concern for alienation in subsequent publications, and the early Marx and late Marx were preoccupied with different matters. I disagree with this interpretation and support the arguments offered by McLellan which indicate the contrary.[2] Again, a discussion of the thread of alienation which is woven into many of Marx's works is beyond the scope of this piece, and the reader should consult McLellan's publications for further exposition.

Prior to a discussion of the Marxian paradigm, I believe it necessary to explicate my values regarding the phenomenon of alienation. I perceive macro- and micro-manifestations of alienation and recommend that interventions could be implemented at the micro/shop level which would temporarily improve interpersonal conditions, resulting in increased but short-term job satisfaction by workers. However, I believe that ultimately more radical interventions are required for the elimination of the endemic alienation pervasive in all facets of man's existence. The eradication of this disease will require radical surgery, i.e., societal redesign.

ALIENATION AS DEFINED BY MARX

Marx saw the phenomenon of alienated labour as a product of the historical process. Alienated labour was a product of the new age of industrialisation and could not have occurred prior to the market society. Marx saw history not as a positivist would, but saw it as a process whose meaning reveals itself by stages; the succession of the latter reflecting man's growing awareness of his role in creating the historical world.[3] Therefore, a new state in the historical

process could lead to the emancipation of the workers and all of humanity.

Much has been written regarding Marx's concept of alienation which primarily focused on the economic dimensions, namely, the estrangement of labour. However, Marx also considered alienation in a broader context and indicated its infestation in religion in which man is the object, not subject of a relationship with God, with a priest/minister as a mediator. This resulted in man's loss of control over his destiny and his subsequent dependence on someone or something. In a similar fashion, he articulated the presence of alienation in the philosophic and political dimension. One can delineate several forms of alienation moving from religious alienation to philosophical, political, and finally, economic alienation, which Marx considered to be fundamental since work is man's primary activity.

According to Marx, **alienation** is a process whereby man forfeits to someone or something what is essential to his nature--principally to be in control of his own activities, to be the initiator of the historical process. In the different forms of alienation, some other entity obtains what is proper to man.[4]

Fromm suggested Marx's 'estrangement' meant that man does not experience himself as an acting agent in his relation to the world, rather the world (nature, others, and himself) remains alien to him; they stand above and against him as objects, even though they may be objects of his own creation. Moreover, alienation is a state of being in which one essentially experiences the world and oneself passively, receptively, as the subject separated from the object. "This is based on a distinction between existence and essence--on the fact that man's existence is alienated from his essence--he is not what he ought to be and he ought to be that which he could be".[5] It is a pervasive condition of man's ambience in which it is not only that the world of things becomes the ruler of man, but also that the social and political circumstances which he develops become his masters.[6]

Marx's Assumptions Regarding Alienated or Estranged Labour

Marx began a study of political economy and closely examined the works of Adam Smith and Ricardo. He felt an extensive investigation of classical economics was required prior to applying his notion of alienation to factory workers. This method was similar to the one utilised in his anaysis of religious alienation which extended Feuerbach's argument to demonstrate the inherent alienation in religion.

Marx began his discussion of alienated labour by stating:

From political economy itself, in its own words, we have shown the worker sinks to the level of a commodity, and to a most miserable commodity; that the misery of the worker increased with the power and volume of his production; the necessary result of competition is the accumulation of capital in a few hands, and thus a restoration of monopoly in a more terrible form; and finally that the distinction between capitalist and landlord, and between agricultural labour and industrial workers, must disappear and the whole society divide into the two classes of **property owners** and **propertyless workers**.[7]

Marx was upset with the economists of his time as they utilised a 'legendary primordial condition' to explain present conditions and "asserted as a fact or event what it should deduce, namely, the relation between two things; for example, between the division of labour and exchange".[8] In delineating the assumptions of his argument, Marx stated:

We shall begin from a **contemporary** fact. The worker becomes poorer the more wealth he produces and the more his production increases in power and extent. The worker becomes an even cheaper commodity the more goods he creates. The **devaluation** of the human world increases in direct relation with the **increase** in value of the world of things. Labour does not only create goods; it also produces itself and the worker as a commodity, and indeed in the same proportion as it produces goods.[9]

Marx's Model of Alienated/Estranged Labour

Marx described the estrangement of labour or "alienation of the worker in this object" as appearing in three forms: alienation of labour from its product, alienation of labour from the act of production, and alienation of man from nature.[10] Furthermore, he indicated that political economy conceals the alienation in the nature of labour as it fails to examine the direct relationship between the worker and production.[11] Let us now examine in detail the three forms of alienated labour as postulated by Marx.

Alienation of Labour from its Product

The relationship of man to the products of his labour is estrangement as the products become an alien object which dominates him. According to Marx, labour becomes an object, assumes an external existence, but exists independently, outside of man himself. There-

fore, it is alien to him and stands against him as an autonomous power. "The more the worker appropriates to the external world of sensuous nature by labour, the more he deprives himself of the means of existence--he becomes a slave of the object by receiving work, and secondly in receiving the means of subsistence becomes a physical subject".[12] This is the objectification of labour. As Meszaros describes it, "Objectification under conditions when labour becomes external to man assumes the form of an alien power that confronts man in a hostile manner.[13]

As a result of this process, the worker becomes poorer the more wealth he produces and an ever cheaper commodity the more goods he creates. The devaluation of the human world increases in direct relation with the increase in the value of the world of things. Man is dehumanised and transformed into a commodity and loses control of his own evolution.

Alienation of Labour from the Act of Production

Marx stated: "Alienation appears not only in the result, but also in the process of production, within productive activity itself. How could the worker stand in an alien relationship to the product of his activity if he did not alienate himself in the act of production itself? ...Consequently, if the product of labour is alienation, production itself must be active alienation - the aienation of activity and the activity of alienation. The alienation of the object of labour merely summarises the alienation of the work activity itself.[14] There were three components to this facet of alienation. In the first place, labour was external to the worker. It was not part of his nature and contributes nothing to his fulfilment; in work man denies his essence. Secondly, his labour is not voluntary but is imposed forced labour. Therefore, work does not result in a satisfaction of higher human needs but is only a means of satisfying basic needs, e.g., food, shelter, etc. It is a means for subsistence and not creative gratification. Finally, man's activity belongs to another in that the work he accomplishes is not retained by him but is appropriated by others. In the process of work, man did not act spontaneously and receive psychic rewards which nurtured his self-development and affirmation of his essence as the end. Rather, this aspect was repressed by the work environment, and the worker was alienated from himself or self-alienated in the productive process.

Alienation of Man from His 'Species-Being'

This is the third characteristic of alienated labour. Man's 'species-being' is the factor which separates man from animals; it

is man's consciousness and spiritual or transcendental nature. This
is manifested in man's need for community and self-actualisation.
One might illustrate this aspect of man's nature in the pursuit of
the 'life of reason' in which contemplation and expression of imagi-
nation through music, art, drama, and literature are extant. It is
the political and social activity first posited by the Greeks.
'Species-being' is a universal construct in man and limited to his
species. As Ollman says, "Such activity is the chief means through
which the individual expresses and develops his powers, and is
distinguished from animal activity by its range, adaptability, skill
and intensity.[15]

In alienated labour, man is physically reduced to an animal and
exhausted by the daily activities of labour. Consequently, during
the evening he only has energy to eat, drink, and procreate; and due
to the debasement of the work situation, denies himself his
'species-being'. Man's conscious life activity is extinguished and
the pursuit of free, creative endeavours is eliminated. As a
result, man becomes a creature more closely resembling an animal as
his means for existence is life itself.[16] "Consciousness which man
has from his species is transformed through alienation so that
species life becomes only a means for him".[17]

A concomitant effect also occurs in this process. "What is true
of man's relationship to work, to the product of his work and to
himself, is also true of his relationship to other men, to their
labour and to the objects of their labour".[18] Therefore, man is
estranged from other men and from mankind. It should be noted that
Marx also saw the owners of private property as being alienated but
perhaps not as drastically as the labourers.

Hence, alienation appeared in three manifestations: (1) aliena-
tion from the object of one's labour; (2) self-alienation; and (3)
alienation of man from man, of man from mankind. Ollman states,
"What is left of the individual after all these cleavages have
occurred is a mere rump, a lowest common denominator attained by
lopping off all those qualities on which is based his claim to
recognition as a man".[19]

Marx believed there was a solution to the problem of estranged
labour and suggested that the revolt of the masses and emancipation
of society from private property and servitude could restore man's
essence. He was not advocating equal distribution of wealth and
total elimination of private property but was calling for greater
worker control over the process of production and elimination of the
non-worker leadership and private ownership of factories. This
emancipation would result in the emancipation of all men and would
create a classless society in which all individuals would be free.

It would be a communal society in which men would cooperatively participate and spontaneously act in providing a free environment for all to self-actualise. Marx's concept of this human society is best described as follows:

> Supposing that we had produced in a human manner; each of us would in his production have doubly affirmed himself and his fellow men. I would have: (1) objectified in my production my individuality and its peculiarity and thus both in my activity enjoyed an individual expression of my life and also in looking at the object have had the individual pleasure of realising that my personality was objective, visible to the senses and thus a power raised beyond all doubt, (2) In your enjoyment or use of my product, I would have had the direct enjoyment of realising that I had both satisfied a human need by my work and also objectified the human essence and therefore fashioned for another human being the object that met his need, (3) I would have been for you the mediator between you and the species and thus been acknowledged and felt by you as a completion of your own essence and a neces- sary part of yourself and have thus realised that I am confirmed both in your thought and in your love, (4) In my expression of my life I would have fashioned your expression of your life, and thus in my own activity have realised my own essence, my human, my communal essence.[20]

MACRO-LEVEL/SOCIETAL MANIFESTATION OF ALIENATION

Scholars have addressed Marx's concept of alienation at two levels: the macro-societal and the micro-organisational. The perceptions of and solutions to alienation consequently differ depending upon the level of analysis. In my opinion, Marcuse has best dealt with alienation at the societal level from a Marxian perspective. His publications in many instances contain sections describing contemporary alienation. **One-dimensional man** is his most significant work which addressed the problem of alienation in contemporary society.[21] Marcuse indicated that our society is dominated by technological rationality and repression of freedom, resulting in a diminution of man's inner self. Furthermore, our advanced industrial society is a totalitarian one in which domination and administration of its members are pervasive. Irrationality is endemic but is perceived as rationality by the masses who have been conditioned by society's perversion of **reason.** One-dimensional man is the personification of Marx's alienation. Man has lost his free, creative, spiritual nature,

i.e., 'species-being', and the means of his existence is life
itself.

Marcuse traced the development of one-dimensional man, one-dimen-
sional thought, and a one-dimensional society which is culminated in
the domination of technological rationality and derailment of
reason. Man has a false consciousness as a result of this one-
dimensional thought in which "ideas, aspirations, and objectives
that, by their content, transcend the established universe of dis-
course, and action are either repelled or reduced to terms of this
universe. They are redefined by the rationality of the given system
and of its quantitative extension."[22]   According to Marcuse, this is
the most vexing aspect of our advanced industrial civilisation: "The
rational character of its irrationality".[23]   Moreover, this situa-
tion is a mechanism of social control. 'False' needs are inter-
preted by the population to be their 'true' needs.

These processes result in the repressive nature of contemporary
industrial society. Technology and science are organised for more
effective domination of man and nature and ever-more effective
utilisation of its resources. Industrial society perpetuates the
notions of scarcity, high productivity, excessive waste, consum-
ption, toil, and fear of the enemy. There is a convergence of
opposites in which the Welfare State and Warfare State coexist in
one dimension. The development of man's realisation is blocked by
this repression, and he resides in a world of 'unfreedom'. The
ideas of Hobbes and concepts of modern reason provide the 'rationa-
lity' for this manifestation. Man has lost the ability to discrimi-
nate between true and false consciousness. 'Truth' has been
obliterated by the effects of mass media and societal institutions.
Contemporary man believes that "what he is" is congruent with "what
he really wants to be" and is unaware of the systematic restriction
of his one-dimensional existence.

In a section entitled "Conquest of Unhappy Consciousness: Repres-
sive Desublimation", Marcuse carefully describes a process in which
former transcending elements of a 'higher culture', e.g., classical
music and art, which were characteristic of a two-dimensional
culture have been liquidated or desublimated. These transcending
elements have been brought down from the sublimated realm of the
soul or spirit of inner man by a translation into operational terms.
An excellent example posited by Marcuse is the proliferation of
cheap imitations of classical art which are found in homes today.
Two-dimensional culture has been reduced to a one-dimensional form
which is part of our material culture. However, the individual
possessing this painting operates on a false consciousness by

believing he appreciates all the aesthetics of a 'higher culture', i.e., true consciousness. He is a victim of 'desublimation' and deluded. The irrationality of this situation becomes rational for the individual.

There fore, 'desublimation' is an example of the 'happy consciousness'. According to Marcuse, this is a "belief that the real is rational and that the system delivers the goods—reflects the new conformism which is a facet of technological rationality translated into social behavior."[24] This is further supported by contemporary language which is functionalised and abridged – a language of one-dimensional thought. Marcuse's postulate is also confirmed by various authors' descriptions of the phenomenon of derailment. This is a language characterised by images not concepts.

Reason has been transmutated by technological rationality. Theoretical and practical **reason** have been merged into a one-dimensional form.[25] Furthermore, in an advanced industrial society, there exists a harmony of freedom and oppression and growth and regression. The philosophic dialectic has disappeared. **Reason** and reality are synonymous. There exists no tension between potentiality and actuality.[26]

In the concluding section, Marcuse raises a vital question pertaining to the premise of his book. "Thus the question once again must be faced: How can the administered individuals – who have made their mutilation into their own liberties and satisfactions, and thus reproduce it on an enlarged scale – liberate themselves from themselves as well as from their masters? How is it even thinkable that the vicious circle be broken?"[27]

I believe this treatise is a concise eludication of Marx's notion of alienation at the societal level. Although it fails to provide any solutions to the dilemma, its descriptive value regarding our present situation is most significant.

Philip Slater pursued a path similar to Marcuse in describing contemporary American culture.[28] He indicated that technology dominates man and suggested scarcity is a false notion of our society. Furthermore, he states that three human desires are deeply and uniquely frustrated by American culture:

1. The desire for **community** – the wish to live in trust and fraternal cooperation with one's fellows in a total and visible collective entity;
2. The desire for **engagement** – the wish to come directly to grips with social and interpersonal problems and to confront on equal terms an environment which is not composed of ego-extensions; and

3. The desire for **dependence** – the wish to share responsibility
for the control of one's impulses and the direction of one's
life.[29]

The desires for **community** and **engagement** certainly reflect Marx's
idea of alienation from man's 'species-being' and separation from
his fellow men.

Later in his discussion, Slater postulated that the much-vaunted
'freedom' of American life is an illusion, one which underlies the
sense of spuriousness so many Americans feel about their basic
institutions. We are free to do only what we are 'told', and we are
'told' not by a human but by a mechanical construction.[30] Obvious-
ly, these statements portray the false consciousness, which is
extant in society, and the lack of true freedom.

According to Weisskopf, human existence has been split into two:
a manifest and a hidden sphere; one actualised, the other suppres-
sed. Weisskopf posits: "One-dimensionality is another term for
alienation which we have defined as the repression of certain
aspects of human nature, especially the non-rational dimensions of
human existence. Western man is alienated from important 'parts' of
himself, because the multi-dimensionality of his existence has been
reduced to the dimensions of technology and the economy".[31]

If this discourse on alienation at the societal level seems
depressing, a section on possible solutions is appropriate. Several
theorists have examined societal alienation and postulated strate-
gies for a restoration of man's essence. Most agree that the
consumptive nature of man is a manifestation of his false needs
fostered by society. It is an alienation of values in which one
accepts society's materialistic values for moral ones, e.g., virtue,
creativity, freedom. From a psychoanalytic perspective, consumption
is a tension reducing device to alleviate the anxiety caused by
alienation. In addition, if the social environment precludes self-
expression and affirmation of identity, an individual may seek
expression of his identity in an objectified form through material
possessions demonstrating his status as a person. These attempts do
little more than reinforce the false consciousness and perpetuate
self-alienation.

Rather than striving to change conditions for individuals, some
scholars believe one should strive to alter the societal situation
and develop alternative institutions. This would enable man to
recapture his essence in a new social environment instead of having
individual change in a compartmentalised fashion which would further
isolate him from the rest of humanity, e.g., by retreating to a
commune. Moreover, many of these theorists believe the amelioration

of alienation can only be accomplished at a societal level - new institutions need to be designed to facilitate the development of 'true consciousness' in man.   The obvious question is whether this strategy is a utopian pipedream or can societal redesign be accomplished?   However, while this is an enormous question, some tentative proposals for societal redesign have been proposed by, among others, McWhinney, Illich, and Ramos.

McWhinney proposed the design of new societal arrangements, 'phenomenarchies'.[32]   These are societies pluralistically designed to support the full range of human needs.   Such societies are designed to facilitate explorations in and tentative engagements with new domains of activity.   It is an exploratory concept of a social institution that provides a variety of paths that a life should be able to take.[33]   McWhinney indicated that it is a supra-organisational concept and a restructuring of the social process that involves work, the living community, the schools, health facilities, and the regulative and maintenance features of government. The restructuring must eventually be nearly all-encompassing if it is to facilitate the expression and satisfaction of the full range of existential human needs.   In McWhinney's article, discussion is limited to consideration of new forms of work and the community. The concept of work is redefined and ranges from participation in traditional work activities, to developing one's skills in new areas, shifting activities depending on community need, pursuing artistic endeavours, and contemplation.[34]   Later he describes the population size of the community, housing configurations, institutions, and financial arrangement.[35]   Basically the community resembled a pre-industrial rural village with proximate villages providing shared specialised services.

Illich responded to the problem of contemporary man's consumptive nature, particularly in the area of education, and formulated a new learning system which discourages the consumption of learning in the false sense our educational business complex advocates.[36]   He believed persons should learn and develop competencies in areas they deem worthwhile and not pursue meaningless objectives mandated by others. 'Convivial institutions' is a model offered by Illich for educational redesign.   This is a paradigm in which informal learning networks would be formulated and provide a mechanism for like-minded individuals to gather and share common interests.   Individuals would not be forced to participate in a standard curriculum but would receive an allocation of learning vouchers which could be spent to attend formal classes in traditional institutions or to informally acquire knowledge of a topic through study with a master.

Ramos delineated a paraeconomic model based on the notion of

organisation delimitation and premised on the assumption of the market being a necessary but limited and regulated social enclave.[37] "This notion implies: (1) a view of society constituted by a variety of enclaves in which man engages in distinctly different, yet truly integrative types of substantive pursuits, and (2) a societal governance system able to formulate and implement allocative policies and decisions required for the optimal transactions between those social enclaves".[38]   His model incorporated notions compatible with those of McWhinney and Illich and provided an environment in which the individual could act positively toward attainment of self-actualisation rather than merely behaving in such a way as to meet the expectations of a market dominated society.   It would afford the individual an opportunity to engage in a variety of personal relationships and non-traditional work.   An environment would exist permitting man to fulfil his needs for affiliation, self-development, and freedom without the constraint of utility maximisation.[39] The multiplicity of social enclaves available for man's engagement would facilitate restoration of his multidimensional self.

MICRO-LEVEL/ORGANISATIONAL MANIFESTATION OF ALIENATION

Public administration literature predominantly analyses alienation at this level, because its thrust is the education of public managers for governmental organisations.   The public manager is obliged to motivate workers and obtain the most efficient level of production.   As a result of these assumptions, the theorists may recognise the problem of worker alienation but are not concerned with the plight of the worker per se, rather they seek instrumental solutions to the problems alienation creates, e.g., absenteeism, and low productivity.   Many of these scholars offer solutions which address false needs and respond to the false consciousness of the workers.   In my opinion, these are crisis intervention strategies enabling the worker or work group to deal with the immediate problem but fail to resolve the core problem with substantive changes. Others may argue with my position and state it is not within the purview of management to confront organisational problems at a higher level.

As one examines management literature, it is interesting to note that most authors rarely utilise the concept alienation but prefer a more innocuous term, such as worker dissatisfaction.   Perhaps this suggests, if a worker changes a position or has his job responsibilities altered, his problem will be resolved.   Furthermore, if authors confront the problem of alienation, they usually are not addressing the three forms postulated by Marx but assume the worker

will be separated from the product of labour and rarely discuss alienation of man from nature of 'species-being'. Therefore, most of the descriptions and solutions to worker alienation only consider the problem of alienation of labour in the act of production, i.e., self-alienation.

One of the earliest studies which investigated the problem of worker productivity (resulting perhaps from feelings of self-alienation) was Elton Mayo's experiments with the bank wiring group at Western Electric's Hawthorne Plant in Cicero. The primary goal of the psychologists Was to determine - experimentally through the manipulation of working conditions - those conditions which would produce greatest worker productivity. The researchers not only altered the physical environment, but also the social situation and instituted rest periods and soup breaks. For the first time, management realised the significance of work group dynamics and workers' needs for recognition. This ushered in the era of the human relations movement and its pre-occupation with the needs of workers in place of the scientific management posture which focused on perfecting workers' skills. In many ways, the human relations proponents were merely manipulating the workers by responding to their false consciousness and creating false needs which management could satisfy. Marx would have felt this tactic does little to reduce the inherent alienation and was an ineffectual solution similar to increasing wages.

A major study which claimed to address alienation of factory workers from a Marxian perspective was initiated by Robert Blauner.[40] He undertook a massive, empirical project to ascertain the degree of alienation present in factory workers of various industries and posited tactics for its alleviation. This project was a sociological study of the worker's relationship to the technological organisation of the work process and to the social organisation of the factory to determine whether or not the worker characteristically experiences in that work a sense of control rather than domination, a sense of meaningful purpose rather than futility, a sense of social connection rather than isolation, and a sense of spontaneous involvement and self-expression rather than detachment and discontent.[41]

According to Blauner, domination, futility, isolation, and discontent are components of the experience which have been identified as elements of the general condition of alienation. "The worker experiences **powerlessness** before the machine system, **meaninglessness** due to the fragmentation of work responsibilities and little sense of purpose, **isolation** from a system of organised production and its goals, and **self-estrangement** in engaging in work as a means to the

end of making a living."[42]

Blauner hypothesised that there was an uneven distribution of alienation among factory workers in American industry and selected four types of industrial production for investigation: printing-craft technology; textiles-machine tending technology; automobile-assembly line technology; and chemical-continuous process techno-logy. The variables selected for analysis in comparing the industries were: the technology, division of labour, social organisation, and economic structure.[43] The results indicated that printers had the highest level of freedom and control in their job situation. Their work was not subdivided and was meaningfully related to the whole organisation. Also, work for the craft printers was a source of involvement and commitment, and their skill level enabled them to have considerable control over the work environment.[44]

Textile workers were somewhat alienated although most were satisfied in their jobs due to low aspirations and the opportunities for self-expression in the strongly integrated communities of mill towns. Their low status and economic insecurity contributed toward deflation of self-esteem. However, the connection of work and non-work activities, particularly the relationships with family and church, affirmed their sense of identity.[45]

Auto workers experienced the highest level of alienation. For the auto worker, his job had become almost completely compartmental-ised from other areas of his life, and there was little meaning to it beyond the instrumental means for existence. As a result there was an emphasis on leisure and comsumption, and the auto worker could be described as the blue-collar prototype of 'the mass man in a mass society'. Rather than expressing their alienation by revolt, a majority expressed it by the 'petty bourgeois' aspiration of small business ownership: a reflection of their false consciousness.[46]

The workers in chemical industries felt little alienation as the continuous process routine involved control, meaning, and social integration. Many workers indicated that they enjoyed intrinsic nature of their job with its challenges, learning opportunities, and social functions which promoted self-actualisation.

Blauner's project revealed that **meaninglessness** and **self-estran-gement** in the work process were the more common forms of alienation. Alienation attributed to a sense of **powerlessness** and **isolation** was not as prevalent. In conclusion, Blauner indicated that he did not believe an increased amount of leisure time was an appropriate solution to worker alienation since the quality of the work life affects the quality of one's leisure time, i.e., relationship with family and self-feelings. Job enlargement and job rotation were

offered as methods for reducing alienation. However, the caveat of
the need for further empirical research was posited in order to
develop solutions for particular industries and their specific
environments.[47]

Chris Argyris was concerned with worker alienation but only
focused upon the side effects of this phenomenon; namely, the
decreased efficiency of workers. Therefore, it appears Argyris
might not be congruent with his image as a humanist. Argyris relied
heavily upon Blauner's findings in articulating his concept of
alienation.[48] He believed that alienation was a manifestation of
the incongruency between the individual and the organisation. From
his observations, Argyris asserted that there were in traditional
organisation theory and practice factors which led to unintended
consequences with negative effects on the organisation and on the
individual. One of these negative effects is the alienation of the
worker in the act of production. In concert with other theorists,
Argyris did not consider the other two forms of alienation postu-
lated by Marx. Argyris believed that organisations could be re-
designed to encompass more fully than previously the energies and
competencies human beings have to offer. Furthermore, he formulated
a concept of psychological energy and posed the question of how the
amount of energy can be increased in the service of organisational
and individual effectiveness.[49]

Argyris attacked the problem of increasing psychological energy
for workers by suggesting that indoctrination and training will
result in greater personal competency and productivity leading to
higher levels of aspiration and ultimately to self-actualisation,
thus eliminating the self-alienation of workers. However, the
author indicated that one must consider the level of the person in
an organisation and posited ' those at the lower levels will have
less chance for psychological success than those at higher executive
levels due to their inability to exercise self-responsibility and
self-control.[50] Therefore, one might conclude from this statement
that there will always be some level of alienation present in
employees at lower echelons.

The 'mix' model was this theorist's formulation for organisation
redesign which promoted greater 'psychological success' resulting in
the alleviation of alienation. He delineated six organisational
dimensions along continuation with polarities "away from essential
properties" and "toward essential properties".[51] The model assumed
the concept of inter-dependence of parts and its influence upon core
activities. Rather than discuss each dimension in depth, I shall
only define the 'essential properties' of an organisation: "(1)
pattern of parts, (2) maintenance of whole through interrelatedness

of all parts in pattern, (3) achievement of goals/objectives, (4) adaptation to change within organisation, (5) adaptation to external environment, and (6) time dimension".[52]   The 'Mix' model dichotomy differentiated between the dominance of individual parts vs. inter-relationship of parts.   Argyris postulated one could design an organisational profile utilising this model and develop new organisational strategies "toward essential properties" which would lead to greater psychological success of individuals since individuals would have influence over their activities.[53]   Therefore, workers who have greater control over their work activity would experience less alienation.

<div align="center">CONCLUSION</div>

From my discussion of alienation in this article, it is apparent that this concept has a variety of connotations depending upon the theorist's interpretation.   Those who support the definition postulated by Marx, perceive alienation in three forms: alienation of labour from its product, alienation of labour from the act of production, and alienation of man from his 'species-being'. Furthermore, these scholars examine alienation from a societal perspective and as a product of our historical process.   The solution to alienation must be societal redesign and alteration of our present value system.   A reduction of man's consumptive nature and transformation into his true two-dimensional existence is a necessary stage in the return of man to his essence and true consciousness.

In contrast, the micro-level theorists observe mankind becoming more and more alienated with the increasing technological advances and more temporary nature of society due to the increase in mobility and loss of nuclear as well as extended family.   However, they accept this situation as a given and prefer to limit themselves to an analysis of the work setting and its effects upon worker alienation.   For the most part, these scholars consider only the second form of alienation, i.e., alienation of labour in the act of production.   They fail to be cognizant of alienation in relation to the worker's social relations outside the workplace and the crippling of his self-development, and these scholars passively accept the separation of labour from its product as inevitable.

As a result of this orientation, they choose to neglect other forms of alienation and its manifestations.   The alienated individual's time perspective is invariably past-oriented with a longing for the past, simple life or future-oriented in which there is a postponement of present needs for future gratification.   The pervasive manifestations of alienation abound today, and man attempts to

escape from this condition in a variety of ways: psychosis--creation of an unreal world in which there is no alienation; consumption-- material acquisitiveness compensates for anxiety, use of drugs, superficial sexual relationship; destruction--aggression against others or self (suicide); and objectification--identification of self through reflection in things such as car, home, and attire.

Since these scholars preclude from discussion the incorporation of the entire Marxian paradigm, I believe their solutions tend to be more superficial and crisis-oriented. It is an ameliorative rather than a radical approach. Their medical model would resemble those of psychiatrists who prefer to treat patients with psychotropic medication to alleviate the symptoms rather than with intensive psychotherapy to attack the core problems.

Proposals for structural organisational change in a field as cautious as public administration will encounter resistance at this time but seeds for change can be planted in a recognition of the inadequacies of micro-level strategies that do not truly address the deeper and wider causes of alienation.

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The 'Tragic' in Public Administration :
A Contemporary Greek Drama

E. JOHN RIZOS

PUBLIC OFFICE is a public trust, President Cleveland declared a century ago. This is an important notion of righteousness held at all times to the conscious level of affirmation. Does this notion include the element of universality? Does it have a definite meaning in and is it capable of being accepted by different cultures?

We do not wish to cast any doubt that public office is a public trust; this may well be a heresy. Our point is that this form of morality as a social and political phenomenon is less substantive than one might consider it to be. The behaviour of public functionaries, their decisions as well as their acts and dissensions do not merely reflect their characters as individuals but also the values and cultural character of a particular society. When one considers a different stream of culture and different space, and even time, it is not difficult to understand why there is no universal viable basis upon which to build the public trust. This leads us to the tragic in public administration.

The tragic here is expressed in a failure of the response pattern of public administration in the conduct of public affairs. It is understood as conflict between the ordinary man and public functionaries (bearers of legality and authority) when the latter act arbitrarily as a superior force, that is, without a relationship to reason in terms of anticipations of an ordinary man. This phenomenon is likely to have a distressing and harmful impact on an ordinary man who, overpowered psychologically, tends to feel alienated registering profound effect·on the growth of democratic institutions.

Within this concept of tragic, our aim is to sketch out some postulates concerning the failure of public bureaucracies particularly in developing countries undergoing deep economic, social and cultural change. Though complex, the implications may be clarified through a more specific reference to the elements of tragic in a single-country paradigm. Greece provides concrete substance to this topic.

We are concerned with public administration as part of a process that carries with it public rules, and we look at its response pattern by placing it within the total social configuration influenced by as well as exerting an influence on the cultural character and public values of a particular country. This administrative sensibility is induced by the social perception of public functionaries and, in turn, their social perception is extended into administrative sensibility and a self-disciplined response pattern. As the values of a society are its basic assumptions and its basic assumptions are its values, they all have an enormous effect upon the thinking and behaviour of men. This matter troubles a good many scholars of public administration because the kind of values and the kind of social anticipations that a country entertains, define and qualify the future that country will come to have. This understanding may lead to an insight why some countries are (or are not) displaying certain negative response patterns of public administration in spite of their relative economic and social development.

THE ACHES OF AFFLUENCE

There is a generally accepted view that contemporary public administration in Greece lags behind, displaying depressed response standards of disinterestedness and arbitrariness. What are the factors in contemporary Greek life that breed and allow this to permeate? One, it may be suggested, is that Greek society, urban and rural, is comparatively unsettled and turbulent in spite of its successful economic and social development after World War II.

Establishing its policies and priorities in the midst of the anguish of the immediate post-war years, Greece followed a dual path: first, to confront the internal threat imposed by a leftist deep-laid plot to overthrow the government by arms and to restore order out of chaos, and, second, to rebuild its shattered economy and embark on its post-war reconstruction, while at the same time re-establishing its parliamentary system and strengthen its democratic institutions, the most serious task and the most difficult to achieve.

Those were rough but feverishly busy days. Looking back at them, one can detect in the dust and rubble of this dual path the individual energies and values of a generation of veterans who, through a dynamic push forward, brought a new period for the country, reaching the highest level of prosperity ever enjoyed during its 150 years as a modern State. The economy, retaining its agricultural and commercial character, acquires greater functional complexity and differentiation now, and opens new inroads towards industrialisation. At

the same time, a growing number of public functions make their
appearance and an all-too-earthly underground economy, with its own
peculiar characteristics, flourishes. To the envy of older genera-
tions, life has become more comfortable and less laborious.

After thirty stiff uphill years, many disquieting phenomena
gradually make their appearance. There is an ambiguity in the sense
in which affluence is to be 'enjoyed'.[1] In a sense, the social mood
changes and, with a depressed feeling, Greece begins experiencing
the aches of discontinuity with its past.[2] In times, where stability of values reduces the possibility of
conflict to a minimum, one might easily conceive general social
contentment. But now, the accustomed patterns of value thinking and
value preference begin to collapse. Everything seems to undergo a
change as if almost inventing and imposing new forms of thinking and
behaving. Ideals still vivid among mature men in which they and
their parents were reared, are no longer respected and turn into
cynicism among the young. The distribution of social respect takes
on new form and social manners are vanishing. There are signs that
even the basic social institution, the family, undergoes a change as
young unwed couples share a symbiosis. The influence of religious
heritage seems to decline while under some kind of pretence or
another new myths are cultivated. A distrust of language as spoken
and written leads to a new speech and writing style and to a new but
obscure nomenclature which tends to degenerate communication into
sloganeering. The new use of language seems to define its own
logic which, in turn, provides a means for the subsequent displace-
ment of realities as the ordinary man has come to experience them.[3]
At the same time, the will to work and produce becomes insidious-
ly undermined. The responsibility towards one's own duties, no
matter where in the social structure or process, begins to fade away
while politically minded activist groups cultivate desires which
lead to excessive social demands and pressures.[4] As the main
concern seems to be directed on how to climb up the economic ladder
quicker with less effort, a new cult of more-to-me is flared up,
each employment group asking aggressively and getting special privi-
leges. Public demands from the State are increased as well, though
it has not been possible to articulate them with meaning and
purpose. Frequently exceeding the government's capacity to satisfy
them, they widen the critical gap between demands and capacity to
respond. In spite of this, the public sector (services and public
regulations) is growing and gradually the role of the government
becomes central, absorbing more than fifty per cent of the economic
activity of the country.

Little wonder then that domestic discord starts to set in. At

breaking and civil disobedience become constant and on occasion
socially tolerated (as in the case of tax evasion or house construc-
tion without a building permit) while the politicisation of every
aspect of life is spreading.[5] In an atmosphere of distrust and
confusion, basic stresses in the body politic make their appearance.
Political opportunism begins to thrive as the prevailing political
instruments prove inadequate to adapt to the contemporary needs of
the country. Devaluating and negating the struggles of the genera-
tion of war-and-reconstruction, the oratory turns to the unreal by
using that sort of excessive verbalism and emotional intensity that
enslave the mind and distort the communication of meaning in words.
Under a meaningless eloquence that betrays a vulgarisation of the
style of political activity, new abstract visions and postulates
about rival faiths and world views, which colour the thinking,
contribute to states of social confusion and stir up revolutionary
turbulence. The country is projected as if in a crisis, and each
time this is repeated a new horde of professional and amateur poli-
ticians come streaming in promising its salvation by offering their
coloured cures. The social temperature, politically inflamed, is

rising creating and aura of hysteria. It is a testing ground
perhaps that people can be persuaded to desire almost anything, for
a time at least, if they are constantly told that it is something to
which they are entitled but it is unjustly withheld from them.
Complaints are heard that affluence cannot take the country very
far without getting it into trouble. That is quite conceivable. It
has become apparent that adjustment to affluence has been far from
painless. Affluence as Greece came to know it, is endangered by the
temptations and thoughts which affluence itself evokes. Since its
adaptive capabilities have been slow in developing, the country has
not found happiness in affluence. It seems as if it has tired and
bored society; as if something terrible has happened that leads
society to austerity and frustration. It is perhaps a manifestation
of the old truism that when men have little or no awareness of what
they want, they clash with each other.

Against this background, it is easy to see why the word allaghi
(meaning change) fortified conveniently by a powerful emotional
charge become the single puzzling credo of a new party that gains
political power opening up for the country a new period of anxiety
and agony and imposing a new political culture. However, the special
glitter of a galaxy of promises may provide emotional receptivity
but does not provide the image of innocence as obscure generalities
become susceptible to great variations of interpretation, another
vivid manifestation that the pursuit of politics in societies under-
going social and economic change is not always compatible with a

strict attention to exact meanings. An unrestricted use of language
manifests a disregard and disrespect for the judgement of the more
diligent public who, perplexed over the ambiguities of political
utterances, do not see eye-to-eye with and challenges the post-war
consensus by giving a new meaning to contemporary history. Commit-
ted to some dogma in the name of change, the party in power treats
society as something which can be re-fashioned into the blend its
leaders savour most. Disconcerned with their manageability or the
ability of society to assimilate them, new rules-of-the-game are
imposed by which social, economic and political conduct is to be
governed. Though some of them are long overdue, they are unsettling
nevertheless and in danger of losing their rational content by the
refusal of the new leadership to learn, at the very least, what it
cannot do. Some people are left with the melancholy reflection that
in the efforts to reform society there are so many elements other
than those government leaders may have in mind that the results of
them, acting upon each other and affecting every other, are incalcu-
lable, and when the illusion will eventually fade, may lead God
knows where.[6]

Are all these a revolt against affluence, a moving away from
reality? Or, a manifestation of the failure of the task of social
enlightenment which has been pitfully left behind? Or, still, an
expression of a collective failure of nerve, a decline in popular
vigour that leaves a society vulnerable to attacks from within? Or,
even, an evidence that excessive affluence, like excessive depriva-
tion, can produce unhappiness? It is too soon to know for sure but
there are signs and portents that point to the skepticism that in
some societies there is an optimal point beyond which a boundless
advance towards affluency is questionable. This may well be the
verdict of history in the case of Greece.[7]

It is worthwhile to proceed in terms of the above configurations
that have been at work in our country-paradigm and place public
administration in this total setting.

A SCHIZOID ADMINISTRATIVE CULTURE?

There is no need for a Delphic oracle to enlighten anyone that
the characterological nature of public administration in Greece is
erratic and produces socio-pathological phenomena as harmful as any
social disease does. The residuum in the public mind is hardly
likely to be a distillation of the best and wisest administrative
behaviour. It is more likely to reflect the view that public
matters are handled by public functionaries in a way that resembles
improvising in a stark, barren landscape in which there is no room

for awareness of or interest in the ordinary man. The elements that are utterly missing are assurance and confidence. The very nature of burreaucracy based on seniority and on rewarding party loyalty, nourish this response pattern which is strengthened by a plethora of laws that most of them do not embody general opinion, do not respond to public needs or do not solve community problems.

The main feature that comprises the image of public administration in our country-paradigm is that of a grey vision of a depersonalised bureaucracy which is tantalising everyone. In its interaction with the public, the display of callousness is more or less endemic to the responses of public functionaries; their functional sensibility impoverished by its divorce from social sensibility and their social sensibility by its separation from its functional. Being defensive about their own limitations, they supply no answers. Lacking the ability to understand or to make themselves understood, they respond under the influence of a passion or mood of the moment. Entering the world of the ordinary man under conditions of safety and feeling relatively free from restraint, they act as if they are always right, content to justify it in terms of the aphorism: **right we are since we are right**. Even the rational-like functionality with which public operations are dressed on occasion, offer the ordinary man no barriers in sensing through the disinterestedness and arbitrariness that permeates the responses of public functionaries.[8]

The function of arbitrariness is that of heightening a mystique in the transactions of the ordinary man with the State which tends to reveal inhumanity in all its gracelessness. The obvious result is a ubiquitous conflict, a tragic one, that increases society's susceptibility to fear. What makes this conflict tragic is the inability of the ordinary man to wholly escape from the consequential arbitrariness of public functionaries while his efforts to avoid them, in the face of inexorable necessity that transcends the decisions and acts of public functionaries, always fail. The result is that of his unquestioned dominance.

The tragic element surfaces as arbitrariness works through a confrontation of two opposites: the ordinary man as an individual human being and, at the same time, as an object - the real and the apparent. In arbitrariness, the ordinary man has come to evidence that the human and the in-human stand side-by-side. In their responses, the disassociation of public functionaries from substantial issues and social values deprives them of the capacity of reasoned elaborations in a way that for the ordinary man is like stepping into the world of the schisophrenic.

THREE DISTORTED MIRRORS

It is possible to make these phenomena more concrete by countless daily incidents. Here we will consider three common incidents, in simplified version, selected at random. They illustrate a world in which all possibilities in the anticipations of an ordinary man in his transactions with bureaucracy have been marked out in a series of improvisations by arbitrariness.[9]

Shrugging It Off

A uses his life savings to buy a ground floor apartment in a condominium building under construction. The building permit clearly indicates that the construction, as specified in the approved plans, is being monitored by the issuing authorities. But they do not inspect the building either during construction or after completion. To cut down his costs, the contractor deviates from the approved plans and alters the sewage disposal system to the great disadvantage of A's apartment. When this becomes known a few years later, A is addressed to the issuing authorities for whatever corrective action is indicated. Their response is that it does not make any difference to them. Strikingly casual about such matters, they in essence shrug it off. But this is a serious matter for A because the building's disposal sewage often breaks into his apartment making it uninhabitable. So he asks for remedial justice and petitions the Administrative Tribunal to force the issuing authorities to enforce the provisions included in the building permit. This seems as if A is asking for the impossible. At the time of the hearing, A is abroad for medical reasons. The Tribunal rejects his request to postpone the hearing; and in A's absence, throws out his petition. Playing against his anticipations of realism, A feels in effect that public functionaries have condemned him to live under degrading conditions.

Breeding Sinners

B buys a quarter of an acre from a monastery following all the procedures which legalise such transactions and his name is entered in the public records as the new owner. Six months later, C buys the adjoining quarter of an acre following the same legal procedures. He then obtains a building permit, builds a small house which soon after he sells. Since then, the new owner expands it at various intervals obtaining each time a new building permit. So far so good. B sells his land also but without building. When the new owner applies for a building permit his anticipations are negated. He is not granted one. Without upsetting the legality of the

original transfer of ownership from the monastery to B, the public
authorities question his title while refusing to substantiate their
point of view disregarding that this entails consequences of great
import for the legal new owner. He has an option of course – to
build a house without a permit. Anyhow thousands of houses have
been built around with no permit. But he refuses to devaluate
himself. For him, the response of public functionaries is shrouded
in mystery. The positive and the negative coexist without neut-
ralising each other, without drawing apart.[10]

Reincarnating

It is not puzzling then that the gap between

D petitions the Administrative Tribunal to cancel a certain
decision of public functionaries. The Tribunal's judgement which is
in D's favour accepts that that decision was based on a procedure
specified in an old law enacted more than fifty years ago, super-
seded since by a recent one and the Tribunal proceeds in repeating
the new procedure that ought to be followed. Soon after E, whose
case is identical to that of D, petitions the same Tribunal and
bases his arguments on the exact phraseology of its previous judge-
ment on D's case. The Tribunal now ignores E's arguments and
evading his anticipations rejects his petition by reincarnating, so
they speak, the provisions of the old law. In his anticipations, E
ponders what sense does it really make for public functionaries when
there are too many laws of equal application (old ones holding just
as firm as the new ones enacted to supersede them) to be concerned
with which one to apply in any particular situation? Does it really
matter for them whether to choose this one or that one? Either way,
it makes no difference. And the ordinary man knows not what.[11]

The responses of public functionaries in these incidents distort
the anticipations of the heroes like the fun-house mirrors at an
amusement park and disfigure what otherwise should be a serious
process. The heroes cannot be sure whether they have been noticed
or not. In their transactions with bureaucracy as clients and as
citizens, they do not know what to anticipate. Without an ordered
set of anticipations or even with only rudimentary ones, the
ordinary man confronts a bureaucratic response of chance. The
interesting point about these incidents is that the possibilities in
his anticipations are all there side-by-side frozen. Not actual-
ised, they leave behind exhausted and overcomed human beings
essentially helpless and abject in face of the disinterestedness and
arbitrariness of public functionaries.

How Lost Man Can Be

In a reasoning society, the response pattern of public function-

aries, their decision-making alternatives and their choices, imply
that it makes a difference which way an issue is settled, that there
is questioning and reasoned deliberation. Here in our country-
paradigm, nothing seems to retain any real sense. Neither choices
of public functionaries are true choices nor anticipations of the
ordinary man are true anticipations. The loss of purpose and
meaning and the loss of basic human values in the response pattern
of public functionaries create a void that is agonising for the
ordinary man. Having had an experience of reality, he is exposed to
a distorted view that all social and even moral sense is now sense-
less. It is not puzzling then that the gap between him and public
functionaries is filled with interpretations and speculations on
both sides which, not infrequently, cause him to be outraged and
react angrily. His drama is how to make sense out of what appears
as senseless. As his discontent is turning into animosity, a dis-
tinct and hostile culture is growing and the anti-public functionary
disaffection may turn into an anti-state tradition.

But a society cannot stand divided against itself, not for too
long. Under the presence of a multiplicity of intimidating forces,
the ordinary man is exhausted and gradually he begins to feel that
his residue of dignity and his sensibility to insult become thin
until finally, abandoning any hope, his defences are penetrated and
his spirit is violated. He surrenders himself and comes to terms
with bureaucracy becoming a disciplined-and-unruly member of the
crowd realising deep down in his tortured introspective that his
predicament in being a lawabiding citizen is becoming incomprehensi-
ble, absurd. No value conflicts seem to trouble him any more in his
consciousness. No insult from public functionaries seems insulting.
In witting conversations, he jokes about it without illusions
regarding the underlying seriousness, sensing that his joking
expresses his being at pains as well. The fear that his anticipa-
tions can be turned topsy-turvy hardens within the mind of the more
conscious individual every aspect of his personal worth, his mental
health, his wholeness of being; and he retires, each to his private
social world forgetting that it is only through his unremitting
efforts he can persist in being an individual. And if that goes, the
democratic society goes.

It is this image of society that permits the ordinary man to
discover social kinship in accepting some common moral conventions
with public functionaries which enables him to endure his drama of
failure, disappointment, and pain. He has become a part of the new
value system. And here we find the point of articulation between
public functionaries and the social consciousness of the ordinary
man that leads to the endurance of value antiquities and to no-

clarification of disinterestedness and arbitrariness in the response pattern of public administration. The main implication is that the ordinary man acts now out of necessity, not out of a sense of free choice within the boundaries of the law. And in doing so, he undergoes all possibilities of understanding himself or, perhaps, of being in a profound sense true to himself. Remote, he is heard as if he is murmuring: **this is how the world looks to me!** As a result, he is ill-equipped to respond to the demands a democratic society places on him. This is the most radical disintegration that a democratic society can suffer.

Though the ghost of **tragic** hangs over, we by no means intend to suggest that the response pattern of public administration in Greece will eventually lead the country to a day of cataclysmic kind, a doom day. In spite of the negatively evaluated consequences on the ordinary man, there is a point of optimism based on the belief that it is possible to frustrate and humiliate the ordinary man, but so long as he endures and keeps his breadth, he will try to act, however feebly and grotesquely, like a human being; the old pageant of man from the early times to the present day. This promise underlies the **tragic** in public administration.

WHEN WILL THE SWEET BIRDS SING?

We may round off this inquiry into the **tragic** in public administration by reiterating that the conduct of the business of the state requires not only a body of public functionaries, who know what they are doing, but also a body of citizens who know what is to be done and anticipate it. In the light of this, the notion of **public office is a public trust** can be attained as a country moves upwards on the ladder of civilisation and its social behaviour becomes conducive to that righteousness. Following this through, it is suggested that in countries where development has produced states of social confusion, one would expect public administration to respond more positively if the social setting is such as to render prevalent arbitrariness worrisome rather than natural and chronic. Though such assumptions lie outside the conventional framework of public administration, it is believed that:

- if in a democratic society, dialogue tends to deteriorate into meaninglessness, however eloquent, the scholar of public administration should insist in the search of meaning in the articulation of social issues and public policies;
- if the pace of change is too fast for its institutions, the scholar of public administration should insist on the clari-

fication of how they work and their appraisal;

if questions about administrative performance are regarded as
politically disruptive, the scholar of public administration
should insist on asking them; and

if the standards of political and moral conduct are thought
of as personal idiosyncracies, the scholar of public admini-
stration in his pursuit of understanding should pause to
identify those which may be universal norms.

Only then it will be possible for the response pattern of public
administration such as it is in a changing society, to be emerged
with sufficient clarity and reveal the reasons behind the conduct of
public functionaries. It is only then that one comes away viewing
more clearly the failures of public office and sensing more vividly
the path and tone of public administration in that society ahead.

The Greek paradigm is instructive but it offers no cure for the
tragic in public administration. It is clear, however, that the
concept of public office needs to be restored and strenghtened. For
both, disinterestedness and arbitrariness are an evil which the mere
passage of time cannot melt away. The maladies in the response
pattern of public administration lie beyond the reach of cure by
laws or codes of conduct. How then to improve public office?

An obvious first answer must be found on a deliberate decision to
modify public employment practices to provide for the most able,
capable of discharging skilfully difficult and significant public
responsibilities with greater responsibility and sensibility rejec-
ting old style political engineering techniques. If public office
is to be a public trust, public administration would have to become
elitist in its refusal to admit in its ranks any but the most able,
uncontaminated by political influences. But even this is not infal-
lible.[12] Considering the poor results in the recent recruitment of
university graduates, this remedy is manifestly and ludicrously
inadequate and does not appear to get us anywhere.[13] The prospect
that the business of the state will be conducted by those with
meagre intellectual skills is not reassuring. The public office is
a strain and often imposes greater burdens upon a man than he can
bear. The potentialities are very disturbing. Knowing the limits
of what can be done, it is clear that we should reject the illusion
that the public office can be put right by recruiting the 'most
able'.

I do not wish to introduce despair. When the public office is
anatomised, we find that it is a composite of two different sources:
first, partly an organisation of tasks, sort of a machine and as
such, if effective in its functioning, is equally effective every-

where; and second, partly growing from and with each country's
particular cultural character, and in that respect it expresses a
wide variety of patterns. We might do better to admit that the more
arrogates to the public office, the more correctly will betray the
social habits and tastes of a particular country, its cultural
temperament and its respect for 'righteousness' in public admini-
stration. Having arrived at that, our suggestion of recruiting the
'most able' becomes an abstraction. It can also become an anathema
to the old style politicians as well as to anyone who finds it in
antithesis to his individual aspiration for an easy, a-responsible
life-time guarantee public employment.

Yet it is a suggestion worth preserving. When we come to enter-
tain proposals for improvements in public administration, we must be
prepared to find no solution in any rigid scheme. No formulae can
be devised which will infallibly nourish them. In the course of
time, the only hope to find the answer to the question raised should
be based on the ability of public administration to improve itself
piece-by-piece by an endless deliberate effort. This depends upon
two things: its ability to learn from its own sources like self-
cultivating and self-fertilising its own improvements; and its
ability to receive influences from other countries assimilating some
and rejecting others to the taste of its own cuisine. For making
improvements in public administration, there is no such a thing as
complete exclusiveness or complete originality owing nothing to its
own past or others. And in so doing, many errors are expected. It
does not follow then that there is no meaning in speaking for the
'most able' since, as the country grows towards functional complexi-
ty, responsibility and sensibility in the conduct of the business of
the state become more elaborate and public functionaries will have
to learn to choose the better, the worse more surely than they
do now. Taking everything together, a first rate ability is un-
ashamedly required, not merely ability. But as things stand, no one
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Role of Non-Governmental Organisations in Environmental Protection
Some Experiences in Indian Cities

R.B. JAIN

ALL THE basic life support systems in India have recently been under
serious stress and strains. Both the human and animal population
pressures have now reached a level where the flora, fauna, soil and
water and also the atmospheric conditions are becoming more and more
depleted, polluted and adversely affected. Consequently, in a pre-
dominantly agricultural country, the renewable base of land resour-
ces has been eroded and environmental degradation has taken place in
the name of development. The situation calls for a bold approach to
development which should be based on techno-environmental socio-
economic evaluation of each development project.

Thanks largely to the initiative taken by the Prime Minister Mrs.
Indira Gandhi, the policy planners at the national level of late
have been seriously concerned with the development of a concerted
programme of environmental protection and conservation of natural
resources. While the Government of India has established a Depart-
ment of Environment at the national level to develop a national
policy in respect of environmental conservation commensurate to the
needs of development, the actual implementation of such progress and
policies have devolved to various states and local government insti-
tutions. In the absence of adequate material and human resources
and the necessary expertise, these local agencies find it extremely
difficult to cope up with the conflicting demands of development and
environmental conservation. Consequently, various non-governmental
organisations (NGOs) have sprung up at the local levels and cities
in India to assist the government in matters of environmental
protection and improvement. The NGOs not only help in enhancing
awareness about environmental issues through seminars, workshops,
publications, competitions, etc., but also attempt practical studies
and projects to carry out or demonstrate environmental protection
and are involved in environmental activism, thereby serving the
needs of the community and helping the government as a valuable
source of practical knowledge and independent opinion.

The article attempts to analyse the role of the non-governmental
organisations in respect of a new field of activity relating to

environmental conservation in a developing country like India. Hopefully, the evaluation of experience of such agencies in India will not only help understand their role in cross-national comparisons, but would also assess their impact on a specific policy area of increasing importance and concern.

INDIA'S ENVIRONMENTAL POLICIES

India is probably the only democratic country whose constitution prescribes a national commitment to environmental protection and improvement.[1] However, because of the Centre-State jurisdictional conflicts due to the federal character of the system, an uneven situation exists in various states regarding environmental management and the implementation and enforcement of national policies. Even at the national level, there is still no statutory requirement for environmental impact assessment in India. The Sixth Five Year Plan (1980-85) is the first serious attempt to appreciate and plan environmental protection. It lays emphasis on protection of land from degradation due to soil erosion, flooding, siltation, shifting cultivation, salinity, etc.; avoiding of deforestation, exploitation of grass lands, and provision of clean drinking water; afforestation, social forestry, and restoration of vegetative corners.

Prevention of water and air pollution and planned urbanisation are other major planks of the national environmental policy. The amount of untreated industrial and municipal sewerage being constantly dumped in rivers is staggering. For example, in the case of Class I cities with a population of 60 million, only 37 per cent of waste water received some kind of treatment; in the case of 190 Class II cities, only 5.4 per cent, was given any treatment. As of 1980, only 8 Class I cities (+ 100,000 population) and 31 Class II cities (5,000 - 100,000 population) had complete sewerage treatment and disposal facilities. Industrial pollution constitutes only 6 to 10 per cent of the total water pollution, but due to major commercial/industrial activities, air pollution is on increase especially in areas with refineries and thermal power stations. Smoke nuisance is posing a grave health hazard in cities like Calcutta, Kanpur and Bombay. Similarly unplanned, illegal, and unserviced urban growth is causing yet another environmental problem, because of staggering exodus of people from the countryside and the human greed in converting the prime agricultural land into residential or commercial areas.

THE RESPONSIBILITY FOR ENVIRONMENTAL PROTECTION

The problem of conserving the environment while proceeding with necessary development is a colossal one. It is so huge that in a country like India it presents a great challenge to those responsible for the planning, those concerned with drawing up detailed programmes, and finally, those who have to implement the policies and programmes. The problems encompass many fields and, therefore, vast areas of the subject of environment are handled at the national level by various ministries and departments of the Government of India. However, India being a federal system, much of the action in this field has to be decentralised and lies in the states, and it is mainly the state governments, who have to carry out the necessary measures. The implementation of environmental policies and evaluation of their impact would necessarily have to be devolved on the local administration and the local self-governing institutions in the cities, towns and villages.

At the behest of the National Committee on Environmental Planning and Coordination (NCEPC) which was established in February 1972 to provide a focal point in the structure of the government where environmental considerations could receive close attention in an integrated manner, almost all the states and the union territories in India have established environmental boards/committees with the terms of reference almost similar to the national committee. These boards/committees are chaired by the respective Chief Ministers because it was thought that chairmanship by head of government would give stature and executive authority to the boards. An official of the Department of Environment is invariably a member of the state board committees. This arrangement has been thought necessary to enable good liaison betwen the national committee and the state boards.[2]

However, at present the state environmental committees or the state departments of environment lack necessary technical expertise. These administrative bodies suffer in their work and effectiveness due to utter paucity of staff. A further handicap is the non-availability of funds or financial supports for setting up necessary expert committees, visits to project sites, and the preparation of environmental appraisal of projects handled by state governments. The situation is really serious, in the sense that in most states, these environmental committees are not at all active. Financial stringency, coupled with inadequate attention being paid by state governments to their whatever meagre environmental departments/committees exist, is affecting the dedication and motivation of the Centre's leadership and its officials.

The net result of this state of affairs is that at the decentralised levels of administration, i.e., the districts and cities, the official institutions, which are charged with the responsibility to take action in protection of environmental concerns are unable to act effectively. The main obligations of the state to meet its constitutional requirements, set an example by appropriate laws, rules and regulations, enforcement and review mechanism, and invite the public to participate in the environmental policy process remain largely unfulfilled. Despite the indifference shown by the administration in the cities and towns in India in either enforcing the laws to protect the quality of environment or to take constructive or punitive action in preservation or improvement of environment, the voluntary non-governmental organisations(NGOs) and the judiciary in some cases have been quite active in bringing to the notice of the administrative authorities in the cities the damages caused to the environment as a result of government's development policies or commercial exploitation of the forests or wild life by private organisations.

TYPOLOGY OF NGOs WORKING FOR ENVIRONMENTAL PROTECTION IN INDIA

The NGOs that have been much concerned in matters concerning environmental protection and improvement can be divided into three broad groups:

1. Those involved in enhancing awareness about environmental issues through seminars, workshops, publications, competitions and so on. Some of such groups are: Centre for Science and Environment, The Indian Environmental Society and the Environmental Cell of the Gandhi Peace Foundation, New Delhi.
2. Those involved in environmental education activities, such as the groups in category 1 but which also attempt practical studies and projects to carry out or demonstrate environmental protection, for example, the Shahdol Group, the Kerala Sahitya Shastra Parishath and the Dashauli Gram Swarajya Mandal.
3. Those involved in environmental activism – such as Bombay Environmental Action Group.[3]

The most obvious role that most voluntary environmental NGOs have performed has been to act as a lobby or pressure group in defence of environmental integrity. Such a role has on many occasions caused discomfiture to government departments. These groups have also come into conflict with other groups representing various industries like

mining, agriculture, construction, etc. These powerful lobbies must be balanced by those who speak for the environment. Voluntary environmental NGOs have also drawn attention to such issues through the press, legislatures, etc. `This has happened in the case of the Silent Valley Project, the Mathura Refinery, the West Coast Fertiliser Plant, and the Dal Lake Project.[4]

CENTRALISATION VS. DECENTRALISATION: NGOs' ROLE IN IMPLEMENTATION OF ENVIRONMENTAL POLICY

Since the Department of Environment (DOE) of the Government of India at the Central level, in a bid to remain non-controversial and not interfere in the development programmes of other ministries and state governments, has been reluctant to take the initiative in examining the environmental implications of projects and plans that have not been expressly referred to them, the NGOs have been quite successful in forcing the ministries and other development agencies in the states to allow the DOE to study and analyse this potential environmental impact of critical projects. Such references have sometimes resulted in changes of site, project design, etc., in deference to environmental considerations. There have been occasions where DOE's decisions have been overwhelmed or distorted by political expediency. The NGOs have battled against this through lobbying in the corridors of power. Similarly, the NGOs have in some cases brought about a speedy implementation of recommendations of DOE by the relevant administrative ministries or state government concerned.

SOME SPECIFIC CASE STUDIES

We have before us some specific cases which have successfully been pursued by the NGOs´and have resulted in forcing the local city administration to take policy-decisions in respect of environmental protection.

KALPA VRIKSH

KALPA VRIKSH is an environmental action group composed mostly of students who got together some 2 1/2 years back to act against the visible deterioration of Delhi's (the capital city of India) environmental conditions. The group had been greatly concerned at the fast eloping green areas in the city. A rally organised by the group, coupled with increased citizens' pressure, and finally a memorandum presented to the Prime Minister in 1980, were instrumental in getting the Ridge and other green areas declared as

'Protected Areas'.   The group also extended its activities in
respect of tree planting and bird counts, running Nature Clubs and
holding workshop for students during 1981, and other similar groups
in Europe.   Belgium ratified the convention to stop importing large
numbers of Indian endangered species.[5]

Save the Soil Campaign

A Farmers' Movement called 'Save the Soil Campaign' had sprung up
in Madhya Pradesh to campaign against an irrigation project, which
did more harm than benefit in the district of Hoshangabad.   The
black soil of Hoshangabad was giving more yield per acre before the
advent of the irrigtion.   The soil now lies waterlogged and is
increasingly less productive -- a 'wet desert' as the local farmers
call it.   The 'Save the Soil Campaign' Group had been making efforts
to repair the damage as far as possible.   As a result of its efforts
and a report of the Government of India that Rs.3000 millions spent
on Tawa Irrigation Project in Hoshangabad district of Madhya Pradesh
has decreased farm production instead of increasing it, the Auditor-
General of India, referring also to the reports of the Land Records
Commissioner and the Deputy Director-General of the Indian Council
of Social Science Research has requested the Madhya Pradesh Govern-
ment to review the project and not to waste more funds on it.[6]

Bombay Natural History Society

This non-governmental voluntary organisation has undertaken
several research projects on the conservation of wild life during
the period 1969-1979.   Specifically, it made a study of the ecology
of birds in and around airports, with a view to reducing the possi-
bility of bird strikes of aircraft; studies on the movement and
population structure of Indian Avifauna; Hydrobiology Research
Station at Keoladeo Ghana Bird Sanctuary and an Ecological Recon-
naissance of Vedaranyam Swamp.[7]

Bombay Environmental Action Group

This has been one of the most successful of the NGOs in conduc-
ting an intensive campaign against planes to locate a major fishing
harbour/industrial complex (near Colaba Post Office) at the southern
tip of Bombay, which would completely devastate that area and also
result in the reversal of Maharashtra Government policies, such as
the decongestion of South Bombay, the industrial location policy,
the disposal of economic activities outside the city of Greater
Bombay, etc.   As a result of the Group's efforts and consequent stay
granted by the Bombay High Court, the Central Government had agreed
to appoint a visiting team to review the whole project.   Further as

a result of the Group's efforts, a large part of Nhava island (just
behind Elephanta island in Bombay city) has been preserved for a
green belt. The Group also campaigned to various civic organisations
to preserve the neglected historical buildings.[8]

Space does not permit to discuss scores of other case studies to
elaborate on the activities of many other NGOs which have sprung up
in many cities in India and have successfully campaigned despite the
various stumbling blocks, resistance and pressures from governmental
authorities or commercial establishments. There is no doubt that
the NGOs have come to play a very important part in influencing the
city governments and concerned authorities in a crucial area of
growing concern of environmental protection. In many cases like the
Chipko Movement in Garhwal and **Silent Valley** in Kerala there were
spontaneous public demonstrations of protests against government
policies. The success achieved by the NGOs through their campaigns
on specific issues involving the enthusiastic participation of at
least a sizeable segment of the local population has been perhaps
the most effective way for them to carry on their function of educa-
tion, constructive criticism and positive action, to take the
villages, cities and ultimately the nation on to the path of ecolo-
gically sound and socially just development.

CONCLUSION

The working of the NGOs and their activities have, however,
demonstrated some of the weaknesses in their organisation and func-
tioning.

Firstly, it is clear that the linkages between NGOs and the
Government at both the Central and state levels were totally ad hoc.
There were very few opportunities for constructive cooperation
between them. More often than not conflict situations arose due to
the lack of communication, the need to satisfy personal ego, bureau-
cratic arrogance, etc.

Secondly, NGOs could play a major role in both the formulation of
environment-related legislations as well as in the monitoring of
their implementation. There is great scope for work on the legal
aspects of practical environment – development interactions. In
this regard there is a need to form a group of 'honorary' legal
experts who could share some time to pursue environment-related
cases.

Thirdly, linkages between city-based NGOs attempting to conduct
environment programmes in rural areas with their grassroot level
counterparts in such areas are subject to a number of imbalances.
It is necessary for city-based NGOs to develop much greater sensiti-

vity to the real needs of rural areas. The socio-cultural contexts in which otherwise worthwhile programmes had to be carried out and a clear understanding of one's own limitations has to be kept in mind by NGOs.

And finally, while in recent years the number of NGOs involved in environment-related activities has been increasing rapidly, not all such groups have a total understanding of the problems involved in the issues they sought to tackle. Thus many groups are still dabbling in peripheral areas of work in a repetitive and largely unproductive way. It is, however, recognised that not all small and modestly organised NGOs are engaged in unimportant tasks. At the same time there is a tendency for NGOs not to tackle deeper issues due to the possibility of inconvenient conflicts with vested interests.[9]

Despite these deficiencies in the working of the NGOs, there is no doubt that they have rendered some very necessary and important services to the city and other governmental authorities. In order that their voluntary agencies are able to make a real impact on the government's policies, especially at the decentralised levels of administration, and in crucial fields of human concerns, there is a need for a very close working relationship between them and the government. The government should adopt a positive approach and attitude towards such organisations. For their proper functioning, it is also essential that the NGOs should get appropriate support from the public both in terms of the availability of the human resources as well as the needed funds to carry on their activities.

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Administrators and Politicians
A Critique of Their Roles

HARBHAJAN SINGH DEOL

THE INDIVIDUALS, who are actively concerned and effectively influential at the highest level of political participation in a modern state, can be grouped into two separate categories headed by officials and politicians. In a value loaded administrative jargon they are popularly known as bureaucrats and ministers. In order to properly comprehend the complex functioning and composite character of a modern state, it is essential to know and understand the attitudes, behaviour and role of politicians and administrators in the entire political system. As Michael Rush and Philip Althoff put it: "The administrative machine is such that the impact of politicians on administration and of administrators on policy is invariably profound."[1] This will further help us in clearly distinguishing between policy and administration – the two fundamentals of modern politico-administrative system. Political systems may differ on various grounds regarding the separation or concentration of power or due to unitary or federal institutional structures yet they will certainly provide important 'environmental variations' resulting in civil service neutrality in political matters and ministerial responsibility and commitment in the administrative field. Politics and administration seem to be so inextricably mixed up that their area or zone must necessarily be marked so that political system may work successfully resulting in the emergence of a genuinely clean and clear administration.

The social relevance of state has reached its culmination in modern times affecting almost all the facets and dimensions of a citizen's life. Whatever form the state assumes, in whatever way it discharges its functions, directly or indirectly, it always affects the individual life. In the words of Herman Finer, "The state today is ubiquitous. It concentrates upon each individual and weaves his every impulse into the myriad threaded wrap of its existence."[2] This complexity and ubiquity of modern state have assumed further significance due to the revolutionary transformation of modern society through the development of science and technology which exhibited its direct impact on the ideology of modern political systems. All this affirms the fact that modern legislator on

his own, is unable to run the state machinery or governmental system to his liking. He needs experts, administrators who, by their qualification, training, experience and intellectual prowess, can extend right and deserving help to the political leadership so that the government can efficiently discharge its functions and fulfil its ideological commitments under a given political system.

The success of a political system depends on the implementation of the ideological concepts, philosophical values and social programme of the government at all levels. The bureaucracy and political leadership can achieve this goal by working closely and critically. Their consensus can translate the political manifesto of the government into administrative reality that ultimately becomes the social policy of the state. Once policy is laid down and the course of its implementation is decided, it remains for the administrators to see that the policy reaches at every level of the administration affecting the common citizens. If political leadership represents the input functions of a political system then it is obvious that the output functions would be performed by the administrators. "Administrative structure", observes Shanti Kothari, "forms a crucial link between polity and society."[3]

This is the age of political development and social change. The entire society is passing through the process of modernisation. Despite international conflicts, economic depressions, army coups and revolutionary upheavals, various existing political systems are functioning under the spell of their own socio-political dynamism. The traditional functions of bureaucracy as the instrument of revenue collecting agency or law and order observing machinery have further increased resulting in widening its scope. It has to play a tremendous role in political development and social change. The politicians and bureaucrats are to develop a clear-cut perspective which could not only be able to create an atmosphere for the successful working of the system, but it could be in a position to embrace the administrative reality involved in the process of social change.

The administrator is to develop a new approach to the various problems. His own role in the general administration and in the execution of the policy is of crucial importance. But his relation with politicians, his attitude in dealing with the public, and his duty in educating the minister in parliamentary affairs are of no less importance and value. If the administrator fails in any of the duties, the system will decline giving way to maladministration, red-tapism, corruption, inefficiency and apathy. Similarly, the political leadership is to develop a peculiar attitude towards the bureaucracy of the state so that the latter could be engaged in

fulfilling the developmental work through the mobilisation of various elements of administration and different components of the political system. Politicians and administrators, therefore, have to define their roles and mark their areas of work so that the political culture could be able to transcend the existing short-comings within the system. They are partners in a joint enterprise and one has only to consider what would happen without either of them. Without the official element being there, the representative element would be futile and actually ineffective, and without the representative element the official administrators would turn out to be aimless.

In a democracy, the officials are to play a major role not only in the execution of the policy but also in the overall management of the administrative machinery. They are the linchpin in the admini-strative system that successfully keeps the machinery going. Writers like Easton and Almond refer to bureaucracy as a vital structure in the political system. Almond says:

> Bureaucracies dominate the output end of the political conversion processes, they are indispensable in the rule making and adjudi-cation processes as well as influential in the political proces-ses of interest articulation, aggregation, and communication. Other governmental structures, such as political executives, legislatures and courts must be viewed in relation to the func-tioning of bureaucracy. They cannot be functionally effective save through bureaucracy.[4]

Without subscribing to any sort of political ideology or programme, they help the political elements of the administration in the fulfilment of their political goals and ideals. They exhibit complete neutrality in the political debates and ideological stands that come up among various political parties, but they would suggest techniques, ways and means to put the policies of the ruling party into the deep contents of the social system making it a clear cut social policy of the system. The concept of civil service neutra-lity has been thoroughly discussed by almost all the authorities on public administration. This implies that they should be neutral in politics and serve the government with full zeal, devotion and loyalty, irrespective of the fact as to which party occupies the ministerial post. But this does not mean that the civil services should not have any understanding of the political system. Civil servants must know and understand politics, they must possess the spirit of discrimination by virtue of which they too could be able to exercise their right of franchise judiciously, during elections.

They should in no way serve as an instrument in the success or
defeat of any political party at the time of election. They must
develop an independent personality and conscience, without playing
direct role in the power politics. They should understand the
political currents and must not bring the politics or party ideology
while performing their official role. An administrator is not a
'political eunuch'. Rather he enjoys the political drama without
participating in it. He is idealogically neutral and works for the
success of the democratic system by simply guiding the politicians
and himself remaining non-aligned to the political parties.

It is not possible to make hard and fast rules for the admini-
strator's behaviour with politicians and other segments of the
political ~vstem. Reinhard Bendix rightly observes: "Bureaucracy
refers to the informal relations, without which the formal admini-
strative hierarchy could not get its work done, these relations are
informal in the sense that we are unable to stipulate rules which
would effectively govern these relationg".[5] It is certainly not
possible to go in for the codification of the civil service neutra-
lity but healthy powerful traditions can be built up that can govern
the relations and can serve as a base for the success of democratic
government.

Former British Labour Prime Minister C.R. Attlee observes that
civil servants must develop philosophical minds in relation to
ministers.[6] They must take with them the 'mysterious tradition' of
the office wherever they work in the official capacity. This touch
must be felt even on the periphery of the secretariat and it should
be known to the citizens that the bureaucracy is politically
neutral. The political neutrality of the civil service sufficient-
ly convinces any administrative critic of the formers' efficiency
and alertness. This concept has been put up very aptly by Attlee:
"The same men who had worked out the details of labour's Transport
Act were now, at the behest of a conservative government, engaged in
putting it to pieces"[7]

But all this is not a one-way traffic. The politicians or the
ministers on the other hand should also play their role in order to
create an atmosphere where administrators can remain politically
non-aligned. It is always the administrator who carries out minute
details at the time of policy formulation which he ultimately imple-
ments under the patronage and leadership of the politician.

It has been said that the essence of administration was the act
of taking decisions. If the total rationale existing behind decision
making and decision implementation is understood then it becomes
easier to know about the general nature of the political system.
Implementation of decisions is, no doubt, very important, but it

becomes comprehensive only when implementation and decision making are studied together as the two sides of the same coin. They have their own independent entities yet they are one. Herbert Simon's fact-value dichotomy in decision making, though highly controversial yet it has a logic of its own. He views the policy makers and decision makers as a single phenomenon which can never be disentangled in practice. Both constitute a single administration but still the existence of value-fact dichotomy goes to prove that these are two wings of the same administration. Commenting on Simon's approach, Alec Barbrook rightly observes:

> Although there is a reasonably acceptable logic in his identification of value questions as being the main concern of (elected) policy makers and fact analysis as being the main concern of administrators, accepting the inevitability that the two can never be completely disentangled in practice. This is a thesis which has been bitterly attacked by many other writers.[8]

It does not matter to the administrators whenever a change comes in the political leadership. When Attlee succeeded Winston Churchill as Prime Minister of England, he took up the same team of officials, including the principal private secretary, that had served under Churchill. This is the finest tradition of British Civil Service which has become a pattern for others to follow. Ministers have to play a significant role in such affairs. Administrators always like to work under an able, intelligent, sharp, alert and bold minister. Such a minister alone can be able to utilise the administrative talent in the right direction. Minister listens to his staff with full rapt attention, weighs the pros and cons of the matter and then in his own dramatic way gives his guidelines. Such a minister can be popular among the masses as well as the administrators. It is well known that Ernest Bevin, despite his boldness and flamboyant expressions won respect and affection from his entire staff, from the ambassadors to the messengers. A good minister listens to his staff and encourages them for full discussion and a good administrator thoroughly studies the total personality of his minister. He educates him not only on policy but on every aspect of administration. He sees that his minister comes out successfully from parliament and could deal the question hour intelligently and humorously. The administrator explains to the minister the legalities and technicalities and makes his job easier so that he could be able to decide the issues, clearly and efficiently. Similarly a minister tells his officials what the masses want in actual reality. He should reasonably understand all the premoni-

tions given by the officials, avoid every sort of aberration causing complications and clearly serves as a link between the administration and the masses. He serves as a barometer of mass opinion.

Sometimes the officials are criticised for their bureaucratic culture, stiff-necked attitude, and contempt for the masses. The arrogance has been regarded as the hallmark of bureaucracy. Haughtiness, high-handedness and technical phraseology have become the main characteristics responsible for the emergence of a peculiar bureaucratic mentality. This attitude exists due to various reasons. The colonial or imperial civil service did possess a complex and this inheritance still works in our administrative services in India. But this is not part of the Civil Service tradition that exists in England. To quote Attlee once again: "It is very seldom that any British Civil Servant is accused of rudeness or arrogance of the kind that is found sometimes in the 'Petit functionarie' in other countries." Indian Bureaucracy sometimes appears to have master-minded the attitudes and behaviour of the colonial bureaucrats but do not seem to have identified themselves with democratic norms of our political system.

Civil Service neutrality in active political affairs has its own rationale which clearly and candidly convinces the critics of administration but in a welfare democratic state and in a developing society, administrators should have some sort of commitment not with the programme of any political party, but a commitment against narrow parochial outlook and reactionary ideology that saps all social dynamism, resulting in the social stagnation of the political system. It must commit itself to the process of nation building and socio-economic dvelopment. Administrators are to guide the politicians for broad developmental ideology and cultural renaissance instead of serving as a stumbling block on the path of development. They must come out to deal with worn out, moth-eaten files or the dry bureaucratic rules and put humanistic, nationalistic and developmental warp and woof in the entire administrative fabric. Both bureaucratic and political stands must strongly unite for translating theories of political development with actual practice with wider national perspective and this would guarantee the success and stability of the democratic administrative system.

Lucian Pye argues: "The great problem today in nation building, is that of relating the administrative and authoritative structures of government to political forces within the transitional societies".[9] The administrators must know and realise that the colonial concept of administration is no longer relevant. They should not rule with autocratic spirit but they must understand the general nature of the existing political forces and social ethics of

democratic system. They are to be well-versed in the art of
representative politics and deal with great care even with the
agitations of the masses within a democratic society. Politicians
too should not indulge in selfish and ulterior-motive-oriented
politics and avoid all day-dreaming regarding their individual
careers. Their intention should be to put the people's point of
view before administration so that both the administrators and the
politicians could work on a common consensus for the development of
the nation. They are to find proper avenues where bureaucrats and
politicians, keeping their own entity intact, work together for the
mobilisation of the forces, within the system, for the economic
development and social change which are on the political agenda of
the entire nation. Officials express solidarity and commitment with
national development which ultimately goes a long way to improve the
health of the political system. The administrators, thus, cannot
escape their duty and responsibility under the garb of neutrality
nor can they ever act over the heads of the ministers under the
guise of the commitment to national development. They are to run
the administrative machine cleanly and clearly realising the basic
framework of the political system.

Another important question that often baffles the minds of think-
ing people is the question of responsibility. The ultimate
responsibility of all government actions in the form of legislation,
appointments, drafting of rules and the general running of the State
machinery lies with the minister. The administrator who acts as the
secretary of the department is a well-experienced top bureaucrat.
He is the person who guides, controls and educates, the political
head. Even in the formulation of policy and preparation of budget,
he plays a major role yet any lapse on the part of the administra-
tion would be the responsibility of the minister. It is the minister
who is the target of attack in the parliament not his secretary or
his staff.

The relationship between the administrators and the politicians
on the question of responsibility was vehemently discussed and
debated in India in the famous Mundhra case when T.T. Krishnamachari
had to resign from the post of the Finance Minister.[10] The Govern-
ment of India appointed a one-man Inquiry Commission consisting of
Justice M.C. Chagla to inquire into the facts of Mundhra case on
January 17, 1958. In his report, Justice Chagla observed: "Consti-
tutionally the minister is responsible for the action taken by his
secretary with regard to this transaction. A minister must take the
responsibility for actions done by his subordinates. He cannot take
shelter behind them, nor can he disown their actions. The minister
has complete autonomy within his own sphere of authority. As a

necessary corollary he must take full responsibility for the actions of his servants. It is true that this may throw a great burden on the minister, his subordinates must reflect that policy and loyally carry it out. If any subordinate fails to do so, he may be punished or dismissed, but, however, vicariously the responsibility of his action must be assumed by the minister. Minister cannot be permitted to say that his subordinates did not reflect his policy or acted contrary to his wishes or directions." This was the constitutional position upheld by the commission of inquiry. But in the same inquiry, elaborating the minister-secretary relations, the report raised the issue in a different form: "I quite understand that there are occasions when secretaries have to act on their own responsibility. Administration would become impossible if a Secretary had to hold his hands until he received the formal consent or approval of his minister. In day-to-day administration, in cases of emergency, the secretary must take the responsibility and must act in a manner which according to him would ultimately meet the approval of his minister." When the administrators participate fully in the formulation and execution of the policy along with the ministers, why should not they share the responsibility along with the ministers. No one should be exonerated at the expense of the other. This point was taken up in the Lok Sabha when the Chagla Inquiry Committee Report was placed on the table of the House for discussion. Initiating the debate in the Lok Sabha, Pt. Nehru also referred to the concept of responsibility in administrative matters: "We accept the broad principle of ministerial responsibility. But to say that the minister is always responsible for all the actions of the officials working under him may take him much too far". Acharya Kriplani laid the blame on the secretary: "He was not let down by Mundhra or any other capitalist shark. He was let down by a shark which he nourished himself." Prof. Ranga, participating in the same debate, touched this issue: "Something has got to be done in order to strengthen the minister vis-a-vis their powerful secretaries."

The main point relevant in this study is that if the administrative official is committed against evil, foul play, he must express himself, at any stage, to his minister otherwise he should be held equally responsible along with the minister. This will not only strengthen the democratic system but will be a step forward for clean administration. In fact, the civil servant should not beat his chest for anything good done by him and anything bad by the minister. He must remain anonymous and obscure. His honesty, integrity and uprightness, alone can be a guarantee of good and efficient administration even though he always operates from behind the curtain.

In a democracy it is parliament that serves as an effective check on the all-powerful cabinet and bureaucracy. Parliament alone should develop and create strong traditions where ministers and officials both could be able to serve the masses under the control of democratically elected members of parliament. Political parties, instead of working as oligarchies, must act as genuinely democratic organisations. Parliament must transcend all other organisations as the supreme body under the constitution and assert its position in order to keep the political system going with officials and ministers working together for the well-being of the common man.

Indian society is in the transitional stage of social development. Under the present constitutional system, the politicians and bureaucrats, following the careerist approach, do not look beyond their own pays, perks, fringe benefits, salaries, and allowances. They seem to have become so selfish and personal that each depends on the other for the fulfilment of narrow selfish motives and not for solving any administrative problems. If bureaucracy is so tight, stiff-necked, lackadaisical and indolent, then the political parties are also guided by the 'iron law of oligarchy'. Party organisations have become bureaucratic and elitist, with only a formal relation with the masses, that too during election time. In such circumstances, only garrulous individuals and erratic characters, clearly piercing through the thick crust of administrative and political control, come to dominate the socio-political scene on the national level. We have discussed the theoretical problem of administrator-politician relation in a given democratic system. We, in India, need drastic changes in our system so that corruption, which is rampant in our society, could be checked. The politicians, serious about economic development and social change and committed to a particular socio-political ideology, have either withdrawn from public life due to frustration or have become dependent on state pension thinking that the political route is too tiresome. The officials have become irresponsive white collar employees, taking refuge in the clubs and have developed escapist tendencies. The intellectuals just do not come out of their drawing-rooms or coffee houses. The radical intelligentsia knows and studies about social revolutionary movements of other countries but hesitate in grappling with the socio-political issues generated by its own system. We feel, at the same time that the entire economic, social, political and military power is being concentrated in the hands of bureaucratic minority emerging as a 'power elite'. People are being duped and mesmerised by the shibboleth of freedom and democracy. Under the garb of democratic socialism, bureaucratic elitism is in the offing. The social change or total transformation of society can

only be possible if the present political forces generate some sort
of revolutionary upheaval. But, under the present system, it is the
common consensus that is still prevalent. The Indian Political
system, despite failures and contradictions moves on due to its own
social dynamics which has the capacity to attract the societies
having a low political culture.

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Personnel Discord and Turbulence in African Economic Blocs :
The Experience of the East African Community (EAC) and the Economic Community of West African States (ECOWAS)

PATRICK IGBINOVIA _

THE IDEA of political and economic unification and cooperation is not novel in Africa. Erasmus Kloman[1] in his study gives a detailed analysis of African unification movements in which he makes the point that the numerous unification efforts now under way in Africa represent one of the most significant developments in the post-independence era of the continent. Perhaps two of the most far reaching efforts in African quarters for unified approaches to common problems could be exemplified by the EAC (which became effectively defunct only a decade after it came into formal existence) and ECOWAS (which was established in a treaty signed in Lagos, Nigeria in May, 1975).[2]

The instruments establishing ECOWAS provide, among other things, for an Executive Secretariat to be headed by an executive secretary who will be appointed by, and directly responsible to, the authority. The Secretariat was to be responsible for the day-to-day running of the community and its institutions. Similarly, in the treaty for East African Cooperation, a bureaucracy was also created which included a Central Secretariat and a Secretary General.

Staffing both secretariats plays an important part in the success or failure of the communities since their ability to develop effective and acceptable solutions to community problems depend upon the skills of their administrators and the efficiency with which their skills are organised in an administrative structure. Hans J. Michelmann[3] argues that the staffing of communities with nationals of community member-states is necessary for pragmatic and political reasons, but that multinational staffing also creates serious problems for the organisations. He maintains in his study of multi-national staffing and organisational functioning in the Commission of European Communities that:

1. Requirements for nationality balance have negative repercussions for personnel policy as well as the civil servant's career prospects and morale.

2. Nationality-based informal organisation often interferes with organisational performance.
3. Multinational staffing results in a multi-lingual community staff and thus creates language and communication problems.
4. The forced interaction of persons from different countries creates a potential for nationality-related friction.
5. That community staff members from different member-states may have divided loyalties to the communities on the one hand and to their member-states on the other.

To date, little or no attention has been paid to the bureaucratic operation of the EAC or ECOWAS, nor has there been any systematic discussion in the literature on African integration efforts of the impact this practice has had on the performance of the EAC and ECOWAS respectively. Since the scientific literature on the issue is scarce, this note is an attempt to examine the effects of variegated nationality on the bureaucratic organisations of both the EAC and ECOWAS and to make suggestions to eliminate or reduce the administrative problems which have emanated as a result. Also to be examined are those factors which account for the incompatibility of community staff-members, the impact that this has on their performance and the larger impact on member-state relationships.

However, before delving into a systematic analysis of the personnel discord and turbulence in the EAC and ECOWAS, the first necessity in this inquiry is a careful definition of operational terms. We shall, therefore, advance some definitions for our concepts: What is an International Organisation? What is an economic bloc, and what constitutes turbulence or discord?

Wojciech Morawiecki defines an international organisation as "a form of cooperation of sovereign states, based on a multilateral international agreement, and comprising a relatively stable range of participants, the fundamental feeure of which is the existence of permanent organs with definite competencies and power, acting for the carrying out of common aims".[4]

Elaborating on this definition, he maintains that the fundamental role of an international organisation consists in achieving, as far as existing conditions will allow within a definite system of international ralations, a degree of consensus among its members that reflects the actual convergence of their interests and corresponds to their possible common aims. According to this definition, the most typical function of the organs of international organisations can only be the result of consultation and coordination of action among the member states.[5]

This article is concerned with one of the organs of international

organisations--the administrative organ--which is said to be
composed of officials whose legal position guarantees to them, in
the carrying out of their service functions, a formal independence
of any authority external to the international organisations that
they serve.[6] Here belong the secretariats of the EAC and ECOWAS and
some of their agencies.

Ernest H. Preeg's analysis and definition of economic blocs is
appropriate for our purpose:

> One source of misunderstanding has been the varied uses of the
> term economic bloc to cover trading blocs, currency blocs, and
> developing country bloc, and others. Moreover, there is often an
> ominous connotation to the term bloc, although more recently a
> distinction tends to be made between antagonistic blocs and
> cooperative blocs.

> The dictionary definition of a bloc as "a combination of ...
> nations united to further their joint interests" does not help in
> suggesting limitations to the use of the term with respect to
> international economic arrangements. In current usage, however,
> economic bloc normally carries a sense not only of operational
> policy content but also of a rather broad, even comprehensive,
> arrangement. A customs union, under which internal tariffs are
> eliminated between members and a common tariff established for
> non-members, would generally be considered a bonafide trade bloc,
> whereas a more selective reduction of tariffs on a discriminatory
> basis between certain countries may or may not be so regarded.
> Certainly, agreement between a group of countries merely to
> consult periodically, with no corresponding substantive provi-
> sions of a discriminatory character, would not normally be viewed
> as constituting an economic bloc.

> There appears, in fact, to be one clear and one not so clear
> criterion for defining an economic bloc. The clear criterion is
> that there has to be a discriminatory application of some form of
> economic policy among members of the grouping as compared with
> non-members. The unclear criterion is the number and variety of
> economic policies that would have to be included in order for a
> discriminatory economic arrangement to be worthy of the name
> bloc. Is it appropriate to use the term bloc for a group of
> countries that limits policy integration to a single product,
> such as petroleum or automobiles? Would a harmonised, discrimi-
> natory policy toward foreign investment by certain countries
> constitute an investment bloc? How closely do exchange rates and

related policies have to be coordinated to constitute a distinct
currency bloc?

Any attempt to draw a precise distinction between discriminatory
economic arrangements that are blocs and those that are not would
be somewhat arbitrary. The point is, rather, that a wide range
of economic policy arrangements are extant or likely to material-
ise in the years ahead that discriminate between countries in
application, and that have or would have a significant effect on
trade and international investment. When such arrangements reach
a certain degree of comprehensiveness or substantive importance,
they are frequently referred to as economic blocs of one sort or
another. The policy issue is that of nondiscrimination in econo-
mic policies versus selective country groupings applying rules of
a discriminatory character.[7]

Under the terms of this definition the EAC and ECOWAS member
countries meet such arrangements and thus we deem it appropriate to
refer to them as economic blocs.

According to Haas:

Turbulence is a term we bestow on the confused and clashing
perceptions of organisational actors which find themselves in a
setting of great social complexity. ...each pursues a variety
of objectives which are mutually incompatible; but each is also
unsure of the trade-offs between the objectives. Each actor is
tied into a network of interdependencies with other actors which
are as confused as the first. Yet some of the objectives sought
by each cannot be obtained without cooperation from others. A
turbulence field, then, is a policy space in which this type of
confusion dominates discussion and negotiation. It can be sub-
national, national, regional, inter-regional, and global—and all
at the same time.... In such a policy space it is very difficult
for organisational actors to develop stable expectations of
mutual behavior and performance. If one is not sure of one's own
goals, it becomes very hard to adjust one's behavior to the goals
of negotiating partners who are no more certain of their
objectives. This condition implies the erosion of such inter-
organisational patterns of consensus, reciprocity, and normative
regularity...[8]

For us discord refers to the disagreement, squabbles, discontent
and lack of harmony between actors in the same organisation. They

are those factors which create and precipitate conditions of job dis-satisfaction among actors as to impede their ability to perform and function concertedly and effectively to achieve organisational goals and objectives.

THEORETICAL RATIONALE OF ECONOMIC INTEGRATION AND COOPERATION

Most of the scientific literature on integration seems to suggest that, in order to complement national development planning, countries eager for rapid economic growth are increasingly attempting to pool scarce resources through regional cooperation.[9]

It is the opinion of Prof. Ezenwe, for example, that the theoretical rationale of economic integration is generally based on possible ways in which economic integration affects the rate of growth of gross national product of participating countries. He lists the most important as:[10]

1. Enlargement of the size of the market for firms otherwise producing below optimum capacity sets 'economies of scale' working. A large market is also thought necessary to sustain heavy industries, such as engineering and chemical plants. Enlargements of the market, he argues, should ensure the smallest unit cost of production within the integration area, which will further stimulate demand and consumption and so lead to increased investment and growth.

2. Economic integration increases the level of economic activity through increased trade, permitting exploitation of external economics and inter-industry linkages, and lowering production costs.

3. Economic cooperation promotes economic efficiency through specialisation and easing of trade transactions because of changes in the degree and nature of competition and reduction in the uncertainty and arbitrariness of trade policies of individual countries. Integration, in short, brings about more efficient use of resources. Harmonisation of economic and trade policies ushers in a smooth and orderly system of trade among members of a group.

4. Finally, he suggests that economic integration—except where deliberate corrective measures are instituted—can give rise to 'polarisation'. The relative, or absolute, economic position of a member country or some regions in the integrated area can worsen if trade is 'concentrated', or other countries or regions prove more attractive to labour and capital.

A.H. Birch notes that K.C. Wheare, in his book **Federal Government** suggests that six factors must be present which constitute the basis of the desire and ability of states to join in federal union and to remain united. He also brings to our attention Springers' suggestion that Wheare's six unification factors really fall into two classes: three which may be called 'predisposing conditions', and three which may be called 'inducements'.[11]

The predisposing conditions are listed as follows:

(a) Geographical neighbourhood of the territories;
(b) Some previous political association, either in a loose con-
    federation or as parts of the same empire; and
(c) Similarity of political institutions.

It is the opinion of Birch that all these conditions are not strictly necessary, only that, in practice, it is difficult for a federation to flourish without them. Therefore, "those three 'pre-disposing conditions' appear as important today as they did in 1945".[12]

Among the positive inducements or incentives which lead terri-tories to federate, according to Wheare are:

(i)   "A sense of military insecurity and of the consequent need
       for common defence";
(ii)   "A desire to be independent of foreign powers, and a realisa-
       tion that only through union could independence be secured";
(iii) "A hope of economic advantage from union."

Commenting on these factors, Birch indicates that "in the post-war world the order of importance of these factors has changed" and that "the hope of economic advantage, is clearly of great contempo-rary importance". He, therefore, suggests two additions to Wheare's three incentives:

(a) The developing territories can effect considerable savings in
    money and, more important, skilled manpower by sharing the
    provision of certain expensive services which governments are
    now expected to supply;
(b) The natural desire of newly-independent countries to make
    their presence felt on the world stage and to speak with as
    loud a voice as possible in international debates has helped
    to promote integration.

The result of Birch's reconsideration of Wheare's conditions in

which federation is appropriate is, therefore, to increase the number of factors from six to nine, as follows:

(A) Predisposing conditions

1. Geographical neighbourhood
2. Previous political association
3. Similarity of political institutions
4. Representative institutions

(B) Inducements

5. Military insecurity
6. The desire for independence
7. The hope of economic advantage
8. Economy in staffing of some public services
9. The tope of achieving greater influence in international affairs (p.10).

Using K.C. Wheare's criteria, it is the opinion of J.S. Nye that many conditions for successful federation between states existed in East Africa. He points to the fact that "the East Africans enjoyed geographical neighbourhood, prior political association, and roughly similar colonial institutions. They were motivated by desires to gain and maintain their independence, to gain economically, and to have a stronger defence through federation".[13]

The conditions facilitating integration and cooperation in West Africa are not altogether different from those of its East African counterpart. The membership of ECOWAS has also enjoyed geographical neighbourhood, previous political association (we have in mind the historical ties through the Ghana, Oyo, Songhai and Mali empires and prior political association exemplified by the Union of African States, 1958; Conseilde l' Eulente, 1959; Casablanca and Monrovia Powers, 1961; African Malagasy Organisation for Economic Cooperation, 1961; etc.), the hope of economic advantage and the desire of achieving greater influence in international affairs.

Unlike West Africa however, East Africans had a considerable degree of social integration. Alluding to this, Prof. Nye observes that "in transportation, language, education, telecommunication, and news media, the East Aricans are more socially integrated among themselves than they are with any other countries"; and "colonial rule bequeathed an impressive degree of functional cooperation".[14] We shall elaborate on these points later in the discussion.

In his contribution to the literature, Prof. Kloman[15] suggests two stimuli for integration. These stimuli have particlar relevance to the African integration effort. One stimulus toward unity is represented by the common continentwide interests from which Pan-Africanism draws its strength. A second stimulus, the attraction of regionalism, also exerts a strong influence, playing an increasingly important role in shaping the make-up of African groupings. Kloman argues that in a mood similar to that which is drawing the nations of Europe closer together, neighbouring nations in Africa seek ways to combine their physical and human resources and to minimise the sometimes harmful effects of boundaries arbitrarily imposed in the colonial partitioning of Africa.

Perhaps the best summation of the theoretical rationale of economic integration and cooperation is provided by Wojciech Morawiecki:

An appropriate division of the states into regional groups may be considered as approximately reflecting the convergence of certain interests of such states, a convergence resulting from historical development. For indeed, it appears that it was geographical proximity, neighbourhood, or the fact of belonging to a definite geographic region that constituted the basis for the formation in the process of historical development of closer relations between nations, of a certain convergence of economic interests, of a community of destiny, of a cultural and even a constitutional and political community.[16]

THE RATIONALE AND CONSEQUENCES OF MULTINATIONAL STAFF IN INTERNATIONAL ORGANIZATIONS

Turning to the general problem of multinational distribution of personnel and their impact on operations, we begin by examining the problem associated with multinational staffing and recruitment.

Staffing positions within secretariats or international agencies often reflect the attempt to have as many nationalities as possible represented, thus ensuring that the important positions in the secretariats and related agencies are not totally dominated by nationals of a few of the member states. Each member country considers itself entitled to 'representation' on the staff.[17]

"Geographical distribution of the staff" is the term which is taken to cover the balance of nationalities in the staff.[18] The concept of the principle of geographical distribution, Goodrich points out, has been given by Lie as follows:

Rightly understood, the cardinal principle of geographical

distribution is not that nationals of a particular nation should have a specified number of posts at a particular grade or grades, or that they should receive in salary as a group a particular percentage of the total outlay in salaries, but that, in the first place, the administration should be satisfied that the Secretariat is enriched by the experience and culture which each Member nation can furnish and that each Member nation should, in its turn, be satisfied that its own culture and, philosophy make a full contribution to the Secretariat.[19]

Michelmann, in his analysis of multinational staffing and organisational functioning in the Commission of the European Communities, suggests that the requirements for national representation, especially at upper echelons, results in posts being identified with a nationality and restricts competition for the posts to compatriots. This, he argues, has had one positive and two negative consequences for the commission: Positively, since competition for a post is limited to compatriots, the resulting rivalry does not generate negative friction among different nationalities. Negatively, the best qualified official is often barred from competing for a position on nationality groups. Finally, nationals of member states strongly represented in the upper echelons have few position prospects and hence may lack motivation and morale.[20]

For Goodrich on the other hand, the problem is threefold: (1) emphasis on geographical distribution may negate merits in appointments and promotions; (2) it may restrict further the already limited opportunities for promotion of the career staff and also introduce an increasingly large proportion of 'non-career' appointments into the staff at the higher levels; and (3) steps taken to satisfy quickly the demands of 'underrepresented' countries tend to encourage and give recognition to the idea that members are entitled to have a certain number of nationals in the secretariat.[21]

AN EXAMINATION OF THE IMPLICATIONS OF MULTINATIONAL RECRUITMENT STRATEGIES: QUOTAS, FIXED-TERM SECONDMENT AND CAREER SYSTEM

Staffing positions within EAC (and EASCO before it) and ECOWAS have always reflected an attempt to have nationalities of member states represented in the secretariats and other agencies to ensure that the important positions are not totally monopolised by nationals of a few of the member states. For example, the executive secretary of ECOWAS is from the Ivory Coast, while the former director of the Fund is a Liberian (his successor will also be a Liberian); a Ghanaian and a Guinean hold the position of deputy

executive secretaries. In East Africa (as we shall later see in detail) there was always "pressure to have the top posts in Community Corporations equal to a number divisible by three".[22]

To achieve this 'balance of nationalities' many strategies have been used. There has been the use of quotas, fixed-term secondment and the career system. What are the implications of these processes for an organisation of an international nature?

Prof. Goodrich has argued in the case of the Secretariat of the UN that the central issues in the debate over geographical distribution are the criteria to be applied in determining the number of positions or the range of positions that nationals of a particular country should have in the secretariat to achieve a balanced and equitable geographical distribution. He brings to our attention the view expressed by Mr. Lie in his report to the General Assembly:

Any rigid mathematical formula to whatever yardstick it may be related, whether to national income, literacy, financial contribution to the budget..., or any criterion, would restrict in an impractical fashion the flexibility on which the success of any good administration must depend and is therefore unacceptable.

As a consequence of this unacceptable situation, a Committee of Experts was asked to study "the criteria for determining the range of posts for each Member State—taking into account, inter alia, the relative importance of various posts". The committee in its report recommended a formula which took into account: (1) membership, (2) population, (3) "the desirability of securing overall geographical balance", and (4) the Member's contribution to the regular budget.

Another factor which Prof. Goodrich said many people feel should be taken into account in any formula for the geographical distribution of posts is the relative importance of posts in the secretariats. It is Goodrich's opinion that all these factors are inadequate for the following reasons:

The criterion of financial contribution...may not be a reliable indicator of the availability within a particular country of qualified personnel or of the capacity of that country to spare them for international service, nor does it necessarily reflect with any accuracy the degree of interest which a Member has in the work of the organisation or the extent to which that Member in the work of the organisation may profit from having its nationals serve in the secretariat....The use of the population factors of course favours the most populous state irrespective of their financial contribution...

(On) The membership factor...a sounder approach might be to
provide that in the case of states with the smallest targets some
greater flexibility upwards would be permitted with a maximum
suggested instead of minimum...[23]

Prof. Goodrich concludes that a rigid adherence to a mathematical
formula would have disastrous results because when a particular
vacancy occurs requiring particular skills, there is no assurance
that the competent person can be obtained from the particular
country that has a 'quota' deficit. Further, he suggests that two
great evils of a rigid mathematical system be avoided: (1) that any
member should be able to claim as a matter of entitlement a speci-
fied number of positions in the secretariat; and (2) that the
Secretary General should be deprived of the disciplinary authority
necessary to give 'paramount consideration' in the selection of his
staff to securing the highest standards of efficiency, competence,
and integrity.[24]

The practice of secondments (the taking of national civil
servants from their ordinary duties and assigning them temporarily
to perform administrative duties in an international body) from
national administration has developed, partly owing to the fact that
at the beginning it offered the only possibility of making an
immediate start.   This is largely true of many international
organisations—ECOWAS and EAC being no exception. It is the impli-
cations of fixed-term secondment that we must now explore.

Scheinman and Feld have noted that "from the perspective of an
international organisation a policy of encouraging and facilitating
the secondment of national bureaucrats to international administra-
ting can serve a number of purposes: First, it allows for the rapid
development of high effectiveness in policy making. A corollary
objective of secondment is the goal of maximising potentialities of
an organisation by staffing it with already trained and well placed
national civil servants who are, however not prepared to commit
their full career to international organisation. Such individuals
who already know their way through the corridors of national power
and politics can very markedly ease the burden not only of a neophy-
tic but even of a mature organisation. The services of skilled and
influential national administrators may be a crucial factor in the
demurrage (and consequent survival) of an organisation. Thirdly,
perhaps the most important purpose allegedly served by secondment is
the political socialisation of national bureaucrats and bureaucra-
cies.[25]

Commenting on the political socialisation aspects of secondment
the authors suggest that organisational pressures, motivational

factors for administrative behaviour, and perceived threat to vested interests seem to provide a counterbalance to the positive socialisation impact of bureaucratic interpenetration thereby raising the question of the reliability of national bureaucracies as coalition partners in political integration.[26]

There seems to be a general consensus that secondment introduces conflicts which create problems of independence and efficiency--factors which could be detrimental to the effectiveness of communities as representatives of 'community interest'.[27]

Perhaps the most damaging statement on the secondment concept is provided by Cox:

It (secondment) is clearly more appropriate to an organisation in which there is a relative great commonness of purpose among its members than to one more heterogeneous. It also produces the least permanent organisation effect since it creates no institutional interest concerned exclusively with the perpetuation and development of the organisation itself.

In a more broadly based international organisation with greater diversity among its members this secondment system would tend to produce an unmanageable cacophony. It is this more universal context that the development of a career service cultivating a district loyalty to the organisation seems most necessary. Short-term secondments are not conducive to this concept of international loyalty since each temporary official would naturally be influenced by his own long-term career prospects in national service. Thus, the universal organisations introduced the practice of permanent contracts of employment for international staff and of career development in international service as a means of strengthening the staff's capacity to resist outside pressures.[28]

There have been many objections to the career system in international organisations. These objections have centered on the opinion that: (a) fixed-term appointments are regarded as a means to promote a more equitable representation; (b) allegation that in international organisations permanent appointments are not conducive to effectiveness and that they should give way to a policy of fixed-term secondments from national administrations; and (c) the security that career service involves does not encourage industry and that it prevents the influx of fresh talent.[29]

Refuting the geographical distribution thesis, Henri Reymond notes that "fixed-term appointments do little to improve 'geographi-

cal distribution', except as a temporary expedient". Experience shows that imbalance, where it still exists, is due, on the one hand, to a shortage of qualified candidates and, on the other, the unwillingness of governments which do not suffer from such a shortage to allow their nationals to serve for more than limited periods of time. He argues further, that "the main justification for a career service is that it can shield individual staff members against outside pressure. International officials are frequently exposed and sensitive to attempts from national quarters to influence their activities. They must not only be fully impartial and independent; they must also remain above any suspicion in this respect".[30]   He also brings to our notice the persuasive speech delivered by Dag Hammerskjold on the merit of a career sevice:

Recent...assertions have been made that it is necessary to switch from the present system, which makes permanent appointments and career service the rule, to a predominant system of fixed-term appointments to be granted mainly to officials seconded by their governments. This line is prompted by governments which show little enthusiasm for making officials available on a long-term basis, and moreover, seem to regard, as a matter of principle or, at least, of 'realistic' psychology—the international civil servant primarily as a national official representing his country and its ideology. On this view, the international civil service should be recognised and developed as being an 'intergovernmental' secretariat composed principally of national officials assigned by their governments....

This is not to say that there is not room for a reasonable number of 'seconded' officials in the Secretariat. It has in fact been accepted that it is highly desirable to have a number of officials available from governments for short periods, especially to perform particular tasks calling for diplomatic or technical backgrounds. Experience has shown that such seconded officials, true to their obligations under the charter, perform valuable service but as a matter of good policy it should, of course, be avoided as much as possible to put them on assignments in which their status and nationality might be embarrassing to themselves or the parties concerned. However, this is quite different from having a large portion of the secretariat—say, in excess of one-third—composed of short-term officials. To have so large a proportion of the Secretariat staff in the seconded category would be likely to impose serious strains on its ability to function as a body dedicated exclusively to international

responsibilities. Especially if there were any doubts as to the
principles ruling their work in the minds of the governments on
which their future might depend, this might result in a radical
departure from the basic concepts of the charter and the destruc-
tion of the international civil service as it has been deve-
loped....[31]

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THE CAUSES AND EFFECTS OF STAFF TENSION
AND CONFLICT IN EAC AND ECOWAS

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We shall now turn from the general problem of geographical dis-
tribution of personnel and their general impact on operations to the
specific sources of multinational staff conflicts in the EAC (and
EACSO) and ECOWAS and their manifestations and consequences for both
communities.

It is submitted that in the operation of both communities the
requirements for nationality balance has had negative repercussions
for personnel policy as well as career prospects and morales; that
it interfered with organisational performance; that it created
language and communication problems; that the interaction of persons
from member state countries created a potential for nationality-
related friction and that staff officers had divided loyalties to
the communities on the one hand and to their member states on the
other; and more.

Geographical Distribution: An African Experience with
the Policy of Balanced Nationalities

We have maintained earlier that the idea of geographical
distribution of positions is not new in Africa. The experience of
the EAC with this type of policy and its attendant implications for
the organisation could easily pass for the situation in ECOWAS
today.

Dreasang and Sharkansky regard the policy of 'balanced nationali-
ties' in East Africa as a hindrance to the development of the commu-
nity's potential. Their observation could be equally applicable to
the situation in ECOWAS. We cannot do better, to strengthen our
argument, than quote their statement.

An important constraint on the personnel options of Community
corporations comes from the policy of allocating specific manage-
ment positions to each state. The allocations reflect the poli-
tical demands for symbolic, if not actual, equality for each
state in decision making... One anomaly.... the merged positions
of Chairman and director general in the East African Development

Bank into one job--reflects the pressure to have the top posts in
Community corporations equal a number divisible by three!...

While the allocation of senior positions to specific countries
fulfils a political need, there is a potential cost in management
efficiency. Corporate officials have complained about the need
to pass up the best qualified individual to select a person with
the right citizenship. Also, the national governments see
'their' community posts as a source for political patronage. At
one time or another, all three countries have appointed indivi-
duals with a background in politics rather than management to
positions in Community corporations. The political use of
Kenya's position was aired publicly during 1972 when the Luo
Council protested the replacement of Luos by Kikuyus in top
corporation positions. At that time, Kikuyus came to occupy all
three of Kenya's positions at the levels of director general and
chairman in Community corporations.

The advantage of regional corporations in having access to a
wider pool of skilled and experienced personnel, then, is
considerably compromised and constrained in the East African
community. The Community corporation confronts the efforts of
partner states to provide for manpower needs for its own
country's economy and to provide for balanced representation
among the partner states in senior management positons. What is
left is a marginal advantage that cannot weigh heavily when
comparing the problems and opportunities of single-country and
regional corporations.[32]

The Legacy of Colonial Rule

As we have seen earlier, the three states in the EAC (Kenya,
Uganda, and Tanzania) were formerly under British administration.
Similarly, of the sixteen ECOWAS member states nine are former
French territories; four are former British territories and two are
formerly Portuguese territories while Liberia was founded in 1822 by
U.S. black freedmen with the aid of colonisation societies. The
country became a republic on July 26, 1847, with a constitution and
administration modelled on that of the United States. What are the
implications of this colonial legacy on the administrative structure
and organisational behaviour of African institutions and actors?

On the situation in East Africa, Agrippah Mugomba[33] maintains
that from the beginning, the EAC and the Common Market inherited the
administrative foundations laid down by Britain during the early
1900's. He argues, further, that the economic structures of the

three partner states, (also transferred intact from the former
colonial power) had a built-in capitalist model of production and
development. consequently, he maintains, the Community and Common
Market began to function within the broad framework of capitalism
(even when some of the member states were die-hard socialists), and
the problem has been to reconcile these externally-oriented institu-
tions with the particular needs of the three members.

Prof. Blunt in his contribution agrees with J.S. Henley who found
that the most striking characteristic of African officials was their
unswerving aim to maintain western bureaucratic ideals which were
achieved primarily by replacing outgoing expatriate administrators
with Africans who were already employed in the colonial bureaucracy.
As a consequence, he observes:

Since the most familiar role models were European, it is hardly
surprising that after ten years of independence and political
stability, Kenya employment relationships have most in common
with the tenets of Western Bureaucracy.[34]

This statement is not only true of Kenya or East Africa, it holds
true in continental Africa. What are those well-known tenets and
hallmark of western bureaucratic ideals which are so evident in
Africa? Again, Blunt provides an answer in a list: rigid sets of
rules govern the behaviour of individuals; workers invariably have
explicit instructions as to how their jobs should be performed; and,
as R.D. Grillo has noted, "regulations also prescribe the form of
the relationship that should prevail between the occupants of any
two or more posts; individual interactions between superiors and
subordinates were characterised by extreme defence on the part of
the subordinate. The classic authoritarian pattern is further con-
firmed by the subordinate's manner which is quiet, almost reveren-
tial, in contrast with the strength and authority with which he
asserts his view under other circumstances".[35] We would add to
Blunt's list a corruption of Peter Enahoro's statement concerning
Nigerians:

The (African) is ordinarily aggressive; he is at his most fear-
some when assigned to an official capacity. Give (an African) a
desk and a telephone and you have created a little caesar.[36]

In ECOWAS, it is not impossible or inconceivable that a situation
may arise in which there will be a clash or conflict of different
western bureaucratic ideals and tenets. There may arise a situation
of loose correspondence between the ECOWAS staff which is composed

of French, English and Portuguese speaking bureaucrats who have each
been subjected to different types of western bureaucratic styles,
know-how and carriage. The resulting clash may serve to impede staff
performance and interaction. It is little wonder, then, that there
is already a sign in the ECOWAS camp to "re-examine the structure of
our organisation in order to make it more operational and effec-
tive.[37]

The Dilemma of Different National Ideologies

To a large extent it is probably true that in many international
organisations, national ideological persuasion affects the way
individuals act and perform in their official capacity.   Prof.
Goodrich in his study of the United Nations Secretariat maintains
that, while official should exercise independence of judgement and
should not seek or receive instructions from an external authority,
it must be recognised that they inevitably tend to reflect and
unconsciously express in their attitudes, the ideologies, views, and
interests of their countries.[38]

Addressing himself to the African scene, it is Kloman's opinion
that "the ideological conflict on which the cold war struggle is
based is already reflected to a significant degree in the conflict
between differing African approaches to unification. Few African
leaders are willing to renounce all aspects of Marxist socialism as
an unmitigated evil. Many are willing to borrow from the experience
of communist countries which have dealt with problems similar to
those confronting Africa; some are willing to go much further than
others in this borrowing process.[39]

Substantiating this position Mugomba suggests that differences in
foreign policy approach and outlook have had a marked impact on
relations between the East African states. He further points out,
that while Tanzania, for example, has striven to widen the scope of
its international relations by pursuing vigorously a policy of non-
alignment in relation with the major power blocs (although its
socialist ideology has struck an affinity with other, more orthodox,
Marxist-Leninist states), Kenya has tended to practice what might be
called 'discretionary non-alignment' while Uganda under Amin drifted
back and forth without any clear sense of direction.[40]

The situation is not altogether different in West Africa where
many of its leaders flirt with different types of ideologies--
ranging from the Republic of Benin with its socialist system based
on Marxist-Leninist philosophy to Communist-oriented Guinea with its
militant one-party state and Mauritania with its 'Islamic Republic'.

As a matter of fact, Mugomba has attributed the very limited
success of regional experiments in the African continent to be

largely due to the absence of a common ideology, especially as
regards development. Indeed, he maintains that the incongruous
ideological positions displayed by the three patners in the East
African Community have effectively prevented other states in the
region from seeking membership, a requirement for enhanced growth
potential. Quoting from **African Development**, he said it is not
surprising that the experiment appeared to be doomed even in 1974:

> We cannot proclaim the creation of a customs union as a progres-
> sive step forward if it has the effect of sinking us even further
> into the abyss of poverty and degradation or if it necessitates
> compromising our policies of socialism and self-reliance.

> Meaningful common markets and meaningful federations can only be
> constructed on the basis of an ideology which is in large measure
> common to all participant states. Where the ideology is not
> shared a federation is unlikely to ensue and if it did there
> would undoubtedly be a build up of pressure which would threaten
> its continued existence.[41]

This became in East Africa a typical perspective and all too
prophetic statement. The three countries in the sub-region hardly
shared the same ideology. This situation soon mushroomed into a
confrontation between Kenya and Tanzania which has been aptly styled
"The Kenyan-Tanzania Road Dispute".[42] The clash, involving border
closures and expulsions, brought into the open ideological animosi-
ties and national rivalries that had long been simmering.

At the end of 1974 there was a road dispute between Kenya and
Tanzania. In late 1975, Kenyans who had been living in Tanzania
were expelled for declining to participate in Socialist **Ujamma**
village projects.

On December 16, 1974, a Kenya Africanist Nationalist Union (KANU)
coast branch delegation called upon the Kenya Government to expel
Tanzanians working in the country. The following day the Tanzanian
official party newspaper, **Uhuru** (President Nyerere is Editor-in-
Chief of Tanzanian's **Daily News** and Uhuru), reported that beginning
January 1, 1975, no Tanzanian would be allowed to enter Kenya with-
out valid travel documents and that any Tanzanian in Kenya without a
permit would be regarded as a 'prohibited immigrant'.

On December 20, 1974, the Nairobi **Standard** said among other
things:

> Tanzania has a great deal to answer for in the way she has been
> acting in recent weeks without any apparent logic or acceptable

explanation. Has the Dar Government had enough of the Community? If so they should have the guts to come out and say so. If they still want the grouping to remain they should stop acting irrationally and be a lot more friendly towards their Community Partners... If anybody has suffered because of economic restraint on the part of the other states it is Kenya, which is so often maligned because of its financial and political stability. If Tanzania's needs are growing while her economy is floundering then the country's leaders should take a closer look at the system of government and, if there are flaws, either economically or politically, alter it where necessary.

On December, 1974, the Tanzanian Daily News countered:

Kenatco (a Kenyan-owned Company) is not a cooperative in the same way as other cooperatives. It is the big men's arm for robbing the small men of their collective wealth; it is an arm of exploitation. In its exploitive pursuits Kenatco knows no bounds, territorial or otherwise. Way back in the late sixties it was effectively used by the big men, who are the sole cooperators, to effectively rob the East African Railways of its revenue derived from hauling oil from Mombasa to up country stations in Kenya. Kenatco achieved this by setting up a fleet of road tankers which moved away from the railways the highly lucrative oils, leaving the low-priced produce for the railways to carry. The editorial concluded: "Long live the poor men's unity against the big men's exploitation".

On December 27, 1974, the Daily News issued its strongest and most personal and ideological attack. It said: "Two lessons come out clearly from this: The first is that once leaders engage in capitalist activities they become slaves of the system and in serving it they totally ignore the people's interests. The second is the bigger of the two. It is that capitalism stands for money and goods and has no respect whatever for humanity."

On December 28, 1974, the newspaper again stated:

Evidence that is available for the East African public to see shows that Kenya's top brass has a lot to gain in the death of the community. For the big men behind the 'cooperatives' can then go on a looting spree without anybody 'interfering' in their business, for along with its shortcomings, the Community represents a number of socialized institutions. Countries such

as Tanzania would not shut their eyes when such institutions were
forced by individuals in positions of power to run at losses...
Tanzania is not breaking the Community nor is it planning to. It
is Tanzania's stand in support of the Community which has offend-
ed the looting moguls and empires in Nairobi.

On December 29, 1974, the sister newspaper, **Sunday News**, refer-
ring to accusations that Tanzanian workers were moving to Kenya as
cheap labour from less prosperous Tanzania, declared: "The facts are
that the situation in Tanzania, particularly for the ordinary man,
is much better. Here is a society that cares for all and neglects
none. How would a Tanzanian want to leave all this social security
around him to go and land himself in a man-eat-man society? It
would have been a system of unashamed exploitation of man by man
such as exists in Kenya today would not have relegated the mass of
ordinary Kenyans to conditions of servitude...We know that Capital-
ism is a very dangerous weapon in the hands of a tiny oligarchy
breathing down the necks of the majority".[43]
It was conditions such as these that made **African Report** lament
that: "Ideological differences, national interests and personality
clashes have whittled away the Community which was to have been the
foundation of a united East Arica" and which warranted Anthony
Hughes to declare "that the dream of East African unity is little
more than a chimera, having been vitiated by too many deep-rooted
disagreements and confrontations".[44]

The Impact of Nationalism and National Self-Interest

The impact of nationalism and national self-interest on community
cooperation and integration is depicted by statements made by Nye
and Franz-Josef Strauss, respectively, to the effect that: "separate
national flags, songs, and heroes may come in time to symbolise
national separatism"[45] and "sometimes shortsighted ambition of
nationalistically oriented bureaucracies...leads to an overgrowth of
egocentric interests.... The renationalisation of secret bureaucra-
tic decisions. With the slogan of the sovereignty of the states and
the pursuit of their own interests, it is quite easy to manipulate
(the bureaucratic schemes).[46] In essence, because staff in an
international organisation represent member countries, they could be
"selected and provided with instructions by their respective govern-
ments."[47]

For these reasons the community organisations may constitute the
most unsuitable framework for the fundamental process of consensus
formation among the member states and the administration of typical
functions of consultation and coordination in community affairs.

Illustrating this type of situation with the East African scene, Nye suggests that "the fear of being accused of sacrificing national interests has made many of the new African officials more intransigent than their predecessors."[48]

In a related vein, it is the opinion of Erasmus Kloman that many of the nationalist inspired rivalries between African states are not easily bridged. Nationalism in the new African states, he argues, had its origins in the colonial era, and the nineteenth century partitioning of Africa by the European powers resulted inevitably in the isolation of the colonies from each other. Coupled with this, he concludes that having been oriented for so long toward metropolitan capitals with antipathetic colonial policies and differing cultural systems, the African states have had some difficulty in replacing these colonial associations with new intra-African relationships.[49]

The implications of nationalism and national interest on communities is provided in the case of the EAC in the following words of Hughes: "The 1967 treaty has proven no more than a point of reference in a long decline. Economic nationalism has undermined the East African Common Market and the EAC's structure, from the top down, has become an instrument of disunity rather than togetherness".[50]

The same point was made by P.N.C. Okigbo when he opined that the most divisive force affecting East African integration stems from political and economic nationalism which emanated because the constituent parts of the Union were developing at different rates. As a result, compromises had to be found at each stage which tended to undermine the union itself.[51]

Interaction Among the Different Nationalities in the Communities

Hans J. Michelmann who has studied multinational staffing in the Commission of the European Communities and the serious problems it creates for the organisation has the following to say about the interaction among the nationalities in the service of the community:

> Nationality differences do...have a marked effect on social relationships away from the place of work. Social interactions among officials from different member states tend to be limited-- for linguistic, religious, and cultural reasons. Spouses, for example, are often not fluent in other languages and news from home is more easily discussed with compatriots. What effect this aspect of informal organisation has on overall Commission functioning is difficult to determine with precision, but it does influence information flow and generally reinforces national ties. It also reinforces the formality with which business is

transacted since restaurants and parties have not become the decision-making forums for the Commission that they are for Whitehall or Washington civil servants.

Further, there is plenty of national stereotyping, at least among significant proportion of officials. A common invidious stereotype of the Italians, for example, characerises them as less capable and much more cliquish than other national contingents: 'a real mafia'. Italian civil servants are aware of this image and react defensively....

Other stereotypes portray officials from new member states, particularly the Danes, as very informal and somewhat stuffy. Significantly, however, practically, everyone generalising about nationalities in stereotypes cited individual counter examples, more often than not from among his or her immediate co-workers, especially when the stereotype involve some negative 'national trait'. The evidence, though limited, tend to reinforce observations by a number of thoughtful officials with long Commission experience, who tended to characterise national sterotypes as subconsciously held by most civil servants most of the time. They come to the fore during periods of stress. For individuals this occurs when hopes for promotion are disappointed while an "Italian mafia managed to get promotions for his own", or when an official has been reprimanded by another nationality--because "les allemands font Comme Ca". For the Commission as a whole, a Community success is followed by all-round congratulations and agreement that the European success proved nationality to be no impediment to organisational functioning. However, when things go bad as they have often done in the recent past, failure is blamed on nationality groups within the Commission. An official with long cabinet experience, including a period in a commission President's cabinet, concluded that in times of crisis, nationality exacerbates tensions within the organisation, and serves to highlight the fact that European consciousness is at times tenuous.[52]

The situation vividly portrayed above could easily also pass for the attitude and conditions in the now defunct EAC and the still viable ECOWAS, as Nye indicates, "One of the greatest problems affecting official attitudes may be summed up in a phrase frequently heard in West Africa--the Nairobi mentality. Used by non-Kenyans, it seems to connote a sense of superiority, a willingness to make common decision without consultation, and a d'slike for 'provin-

cials', although to Kenyan it seems to indicate a rather far-fetched sensitivity in Tanganyikans and Ugandans. Although some Kenya civil servants will deny it, others will admit that there was an aspect of snobbery about the Kenya service".[53]

In ECOWAS, Nigeria has continued to be accused by some partner states of trying to play the role of 'Big Brother'. Peter Enahoro also reports that: "Other Africans increasingly complain that they find Nigerians arrogant, ill-tempered, zenophobic and suffering from a petrodollar complex".[54]

The Skepticism Over 'African Middle Power' Domination

Closely related to the problem of nationalism is the fear harboured by some EAC member states over the domination in the running of the community by nationals of the more prosperous and richer partner states. For example, nationals of Tanzania and Uganda had consistently resisted and quarrelled with the fact that, of the positions available to Africans in the secretariat and department of the East African Common Services Organisation, more were filled by either countries.[55] Nye reports that of forty superscale Africans in mid-1963, nearly thirty were Kenyans.[56] Also, in 1962, a Ugandan asked why, of 112 scientists employed in inter-territorial research, 62 were in Kenya, 27 in Tanganyika and only 23 in Uganda.[57]

Another source of friction was the position of Nairobi, which facilitated contact between the secretariat and the civil service of Kenya. Alluding to this, Mogumba asserts:

It does not seem incredible to suggest that the increasingly cosmopolitan role of Nairobi--notably as the host for international institutions and conventions--has promoted Kenya to the status of an African middle power comparable to the position now occupied by ... Nigeria, and Ivory Coast in their respective zones.

That newly-acquired importance has, inevitably perhaps, contributed to the growing distances between the East African states; there is no way in which Tanzania and Uganda could ignore their apparent relegation to a subordinate position, and hence their sensitivity to the emergence of a subimperial state capable of undermining their own interest.[58]

In a situation of reversed domination, Kenyans and Ugandans often also complained that Tanganyika took the initiative in most meetings by announcing her intentions and expecting the rest of the meeting to fall into line.[59]

The situation in West Africa is not altogether different from that which obtained in East Africa. There is the prevailing fear that Nigeria and Ivory Coast, because of their relative prosperity, might dominate the other partner states. There also appears the justifiable fear that these two states might be engaged in rivalry to the detriment of the community interest.

Apart from the fact that the ECOWAS headquarters is in Lagos, Nigeria (a choice which Senegal opposed), it does not appear that the country dominates the organisation nor is there sign of Nigerian pre-dominance among senior staff. Dr. Quattara--the executive secretary of ECOWAS has this to say on the matter: "Obviously Nigeria provides the chairman if we meet in Lagos. But our Ministerial and Heads of State meetings will rotate among members according to alphabetical order. And although Nigeria is obviously the biggest contributor, according to our formula there is no 'weighing.' She has only the same representation as any other country at our meeting"[60].

However, it is worthy of note that K. Roy Stevens has reported that:

Political differences have also been precipitating problems facing the organisation. One is the intense differences existing between (the then) President Senghor of Senegal, representing the French-speaking countries, and Nigeria, speaking for the English-speaking countries, on the other. One school of thought contends that President Senghor sees ECOWAS as yet another channel through which Nigeria seeks to expand her wings over Africa south of the Sahara in her role as 'Big Brother'. Yet another thought which has been propounded by pundits is that the 'Elysee' in Paris may be a source of the problem between Francophone countries and the English-speaking countries. The reason could be that France is frightened of losing its dwindling hold over its ex-colonies where several billion francs have been invested. They believe that if ECOWAS succeeds, it may encompass the French-inspired sub-regional community French-speaking African Countries (CEAO, The West African Economic Community). This idea seems to be gaining ground against a backdrop of CEAO's invitation to English-speaking African countries to join the community should they wish to. So far none has taken up the offer.[61]

On the employment side, there has been the allegation circulating around that Dr. Horton, the dismissed director of ECOWAS Fund, had filled the Fund improperly with Liberians.[62]   These and other allegations (which will be addressed later) led to serious person-

ality problems in the community and between partner states. Okigbo's statement is very appropriate here: "Once employment becomes an issue in national policies it is bound to trigger off frictions in a supranational or inter-territorial organisation".[63]

Executive Rivalry and the Leadership Question: Two Masters, One Boat

Nowhere is executive rivalry and clashes better depicted in African integration effort than in ECOWAS. It has even been suggested that the problems of the community began immediately upon the ascension to office of its two senior officers[64] and that the lack of communication between the two men seriously handicapped the early development of ECOWAS.[65]

It is the opinion of some writers that the perennial staff problem at ECOWAS was caused by quarrels between the Community's executive secretary and the director of the ECOWAS Fund.[66]

K. Roy Stevens, in an investigating report on ECOWAS affairs, gave his assessment of the reasons for the differences between the two executives, thus:

> Two people were appointed to run the two divisions of the organisation--Dr. Quattara of Ivory Coast for the Secretariat and Mr. Romeo Horton of Liberia for the fund--and there have been apparent differences between the two of them, which may have been the root cause of the obstacles impeding the progress of the organisation. Mr. Horton, who incidentally had mooted the idea of an economic union of African states as far back as 1963, was asked after he had been appointed to set up an office in Lome and charged with the task of setting up the bureau. According to aides close to Mr. Horton, he arrived in Lome with an initial staff of three Liberians and one of them was sent down to Lagos to act as liaison officer between the Fund and the Secretariat. It is alleged that this officer was not well received as Dr. Quattara felt that Mr. Horton would have been in Lagos personally at least at the initial stages to work directly with the executive secretary. The officer was subsequently recalled to home. Thus the first seed of discontent was laid down between the two men.
>
> Effective liaison between the two branches was during the initial stages virtually nil. This in turn inevitably led to the second 'difference' between the two men--who was boss of the others? This issue was a major thorn in the flesh and continued to be so until the issue was finally resolved in the summit meeting in Lagos last year when Dr. Quattara was named executive head of the

organisation and Mr. Horton managing director of the Fund only.[67]

Articulating basically the same reason for the difference between the two men, New Africa reports that:

> Differences between them ranged from questions as to who should take precedence over the other, to who should control funds and staffing. Quattara, essentially a quiet bureaucrat... got involved in a long quarrel with the free wheeling former Liberian businessman Romeo Horton, who was accused of running the ECOWAS fund's Lome office as a business concern.[68]

Another reason that could be advanced for the tension and disagreement between the two men was their ego. Both men are distinguished African leaders, accomplished intellectuals and able businessmen and bankers. Neither was willing to sink his individual pride for the community good. Neither would be servant or subordinate to the other. Thus was ECOWAS stuck with two captains and one ship.[69]

Alhassan Abdouf has recommended that a successful ECOWAS is conditional upon the swift resolution of the basic personality problem at the fund.[70] However, Atenaga sees the situation as encompassing more than that: (a) trouble spot is the ambiguous relationship between the Secretariat and ECOWAS agencies, notably the ECOWAS fund based in Togo. There have been administrative clashes in the past but, unfortunately, these were portrayed as if they were clashes of personality and not the manifestation of the ambiguity existing in present ECOWAS protocols and the treaty establishing the organs.[71]

It is submitted that both problems (addressed by Abdouf and Atenaga respectively) exist in the ECOWAS organisation. What is more relevant now is how best to resolve the problems.

The ECOWAS response has been to dismiss the Liberian Dr. Horton as the director of the fund and another Liberian, to be named by the Liberian president, is expected to fill the position. This might later prove to be a case of, to quote Shakespeare's Macbeth: "We have scotch'd the snake, not kill'd it; She'll close, and be herself; Whilst our poor remains in danger of her former tooth."

It is noteworthy that ECOWAS has recently approved regulations on command structure and has confirmed Dr. Quattara as the boss of ECOWAS - this may help ECOWAS to avoid similar problems in the future.

However, it is still necessary that the Secretary General should establish his leadership of the staff and should be encouraged in that direction. Also, all executives of the organisation should be

treated as autonomous entities having no links with national admini-
stration, and they shall cultivate a distinct 'International' view-
point. No Community official should seek or accept instructions
from any authority external to the organisation. In order to achieve
this the Community staff must be largely a career service which
should be built: (a) on the basis of individual merit and uniformly
fair treatment under regulations which allow for no arbitrary
political intervention; and (b) on the recognition of some merit in
'balanced nationalities' without sacrificing competence and suita-
bility. An organisation which is staffed solely by political
nominees and appointees is likely to face serious administrative
problems. Finally, a Committee of Community Service should be
established whose task should be the recruitment and selection of
professional and executive staff.

Manpower Shortage: The Quality and the Quantity Problem

"The Economic Community of West African States (ECOWAS) fund is
now ready to move after many months of chronic staff problems,
during which its operations were almost brought to a grinding
halt."[72] This statement which appeared in the **Daily Times** of
Nigeria, highlights the manpower shortage which had plagued ECOWAS.
The shortage was twofold:

- (a) The community was understaffed and it experienced serious
       recruiting difficulties;
- (b) And a significant percentage of the men in the community were
       not suited to meet the responsibilities of the organisation.

These manpower problems are closely interrelated: the shortage of
quantity cannot be solved, or even defined, without consideration of
the shortage of quality.

As far as the staff position of ECOWAS was concerned, it had been
suggested that "the problem of staffing at ECOWAS relates and
revolves around the issue of executive competence or lack of it at
the ECOWAS fund". One allegation had it that the then managing
director, Dr. Horton, had filled the fund with Liberians without
utilising the proper bureaucratic procedures for recruiting. As a
result of difficulties and anomalies such as these, an ECOWAS Minis-
terial Council met in Lagos. Their decision was, according to the
account given by Stevens:

All current staff should be laid off, pending the appointment of
a permanent staff. This in effect meant that after 3 months
notice period given to the staff as it existed then, ECOWAS

ceased functioning as an effective entity. The only people left
on permanent employment were Dr. Quattara, Mr. Horton, their
deputies and the minor secretarial staff. All professional staff
had to go. At the fund, only the accountant and personnel
officer were left on a temporary basis.... "ECOWAS now exists
only because the governments want it to exist dead or alive".[74]

Alhassan Abdouf brings to our attention the following remarks
made by the Ministerial Investigative Commission, chaired by E. Hadj
M.C. Cham of the Gambia, concerning the 'initial staff' that was
personally 'recruited' by Dr. Horton:

The Committee studied the report of the subcommittee on the staff
of the Fund and the Secretariat and agrees with the sub-commit-
tee's finding re: appointments at the Fund. The qualification
and experience of the majority of the staff of the Fund leave
much to be desired, and the gaps between qualifications,
experience and placement at the Fund is too glaring to warrant
further comment. In view of the fact that the fund is not yet
fully operational and having regard to the Keynote of the Fund in
the development of the community and the need to operate it in a
cost effective manner, it is recommended that immediate steps be
taken to stop all further recruitment into the fund and that the
joint appointments, promotion and disciplinary committee, serves
nine 2/3 months notices to all Fund's appointees on the profes-
sional scale.

Commenting on these remarks Abdouf observes that "the subsequent
whole termination of professional staffs at the fund by the Council
of Ministers was the result of irresponsibility in the appointment
of a majority cadre who lacked the requisite qualifications and
experience" and "that even after this debacle, which left untouched
the principal responsible offices, the managing director of the Fund
continued to retain in his skeleton staff the service of the former
director of personnel who was described in the Cham Commission's
reports as 'The interesting case of our officer who studied journal-
ism and had previous job experience in radio broadcasting but who
was appointed as the Personnel Director of the Fund." It is also
noted that "The Committee further deplores the appointment by the
managing director of two senior staffs which have already been
disapproved by the board of directors."[75]

The EAC and its agencies were also faced with manpower shortages
both from the standpoint of quality and quantity. In their study
which draws from the experience of Kenya and the EAC to ascertain

the impact of single-country or regional ownership on the commercial performance of public enterprises, Dreasang and Sharkansky found that:

> Several constraints limit the Community's supply of personnel. There is a scarcity of individuals with requisite background for high level managerial posts, and the community corporations must compete with others who need this same talent. The competition by private firms, national public corporations, and national governments is very keen and frequently involves a kind of 'poaching', whereby individuals face inducements to leave their present employments to work for a private firm or another public agency. The Tanzanian government and, to a lesser extent, the governments of Kenya and Uganda, hinder the corporations of the Community from competing freely for employees. Tanzania makes an effort to assess national personnel needs, and then to allocate educational opportunities and job assignments accordingly. Employees and employers have some choices, but within the limits defined by the Office of Manpower. Community corporations cannot recruit freely among Tanzanians....The restrictions on employee mobility in Uganda and Kenya are more piecemeal and haphazard than in Tanzania. Bursaries and scholarships do, for instance, bond students to a period of government-designated employment...

Government Interference With Staff Working Conditions

The ability of an organisation to recruit highly qualified, competent and efficient personnel will depend largely on the type of working climate that prevails or that it provides. One of the most important of these working conditions is the ability of the agency to offer salaries commensurate with the staff's responsibilities. There have been some disturbing reports that some ECOWAS member states interfered with Community staff working conditions. Timesman Henry Atenaga, reporting on this situation had this to say:

> One good example of its (ECOWAS) vulnerability stared me in the face in my recent visit to the headquarters at King George V near Tafawa Balewa Square. The junior workers were in a hardly suppressed defiant mood; they went about with long faces that told of a simmering grudge somewhere. I lured most of them into pouring out their hearts and my fears were confirmed beyond doubt. Many of them maintained that since their employment two years ago, they have not been issued with letters of appointment and working conditions.

> Many were transferred from the FESTAC Secretariat with salaries
> arbitrarily set without consideration and experience. Then as if
> to deliver the last blow, last year every salary was cut at times
> by as much as 10 to 15 per cent "without justifiable reason".
>
> Intrigued, I took up the matter with Dr. Nti, the deputy execu-
> tive secretary for administration a week later after many fruit-
> less calls at his office.
>
> Confirming the salary cut, he told me that it was ordered by the
> Council of Ministers last April because complaints surfaced to
> the effect that ECOWAS workers were earning far ahead of salaries
> of workers in host countries. Togo particularly came for the
> cuts because drivers and other junior workers earned salaries
> almost equal to those of senior civil servants in its service.[77]

This type of arbitrary action, apart from demoralising serving
officers could further restrict the already limited pool of quality
manpower.

In East Africa there was little or no evidence that Community
Staff working conditions were affected negatively by partner state
insistence. Rather, Tanzanians who objected to the Ujamaa efforts
to reduce income differentials, restrict property ownership, and
minimise quality differences in schools, found relief in securing
employment in the EAC. Community corporations paid higher salaries
than Tanzanian employers, and for a Tanzanian who is posted to a
Community Office outside his country, there was access to elite
privileges unavailable at home.[78]

Different Mother Tongues: The Effect of Language

Another colonial inheritance is the very different matter of
language which O'Connor claims is probably of even greater signifi-
cance for economic cooperation than currency.[79]

We have already hinted on the part played by Swahili and English
in the social integration of East Africa. While East African Commu-
niy was still alive, all official negotiations between the member
states were conducted in English. In East Africa, therefore,
language presented no problems for relationship rather it was a
facilitator or vehicle of cooperation and interaction.

ECOWAS, as we have seen, brings together officials who speak
three different official languages—English, French and Portuguese.
This fact may later place a heavy burden on the Community's work and
may prove to be an enormous financial liability to the organisation.

In his study on multinational staffing in the function of the Commission of the European Communities, Michelmann had said that the fact that the Commission brought together officials who spoke six different mother tongues involved the organisation in heavy translation cost. More, the staff was seen as "overburdened by the mass of paper annually issuing from the commission, much of which must be translated into the six official Community languages". The result of this was "that even very urgent documents are often weeks late in arriving at their destination, interpreters are also overworked, and Commission sponsored meetings involving member state experts and/or group representatives must frequently be cancelled at the last minute because interpreters are lacking. Such circumstances have obvious negative effects on Commission performance".

Michelmann also noted that the available translators worked primarily on materials directed externally and were therefore unable to help alleviate the serious communication problem within the organisation resulting from the multiplicity of native languages.[80]

In the ECOWAS camp, nine countries speak French, four English and two Portuguese. It may be more expedient for ECOWAS to adopt English and French as its main working languages. The choice of these two languages will hopefully help to simplify internal communication, help reduce time and money on translation and other administrative matters. However, this could put the two Portuguese speaking countries at a dis-advantage in their work. This could be countered with the argument that it is only in the short run. Guinea Bissau and Cape Verde have a combined 1976 estimated population of 830,000. To make Portuguese a third working language would exacerbate the problem of performance and efficiency in the organisation. Moreover, the advantages of adopting two working languages instead of three far outweigh the disadvantages to Guinea Bissau and Cape Verde—the two Portuguese speaking ECOWAS countries.

Generational or Gerontocratic Conflict

Peter Blunt has suggested that there is another less recognised, but equally important, conflict area whih has to do with tensions between Africans of different ages. He points out, for example, that, "in the ethnic communities of Kenya, as elsewhere in most of the continent, elders are greatly respected and authority is traditionally associated with age. However, he continues, the general dislocation of traditional ways of life brought about by urbanisation and industrialisation has produced pockets of inter-generational conflict and hostility. This takes a number of forms: perhaps the most widespread is that between young and highly educated managerial and technocratic elites and older, less

educated, lower-level workers."[81] It is not unreasonable to assume
that this condition, if present in ECOWAS, will have some implica-
tions for the community. To ameliorate such a situation, it is
suggested that the older and less educated administrators should
participate in a Continuing Education or Adult Education programme.
This will hopefully help to redress the educational disequilibrium
between the young and the old workers and this will in turn reduce
conflict and hostility.

CONCLUSION AND POLICY RECOMMENDATION

In the foregoing analysis, we have examined the theoretical
rationale of economic integration and cooperation. It was estab-
lished that in order to complement national development planning,
countries eager for rapid economic growth are increasingly attempt-
ing to pool scarce resources through regional cooperation.

It was also noted that staffing positions with secretariats and
related agencies (at the international level) generally normally
reflect the attempt to have as many nationalities as possible
represented, to ensure that the important positions in the secreta-
riats are not totally dominated by nationals of a few member states.
It was indicated that the requirement for national representation
results in posts being identified with nationality and that it
restricts competition for the posts to compatriots. The consequen-
ces of this to an international organisaton are: (1) the best
qualified official is often barred from competing for a position on
nationality groups; (2) and nationals of member state strongly
represented in the upper echelons have few promotion prospects and
hence may lack motivation and morale.

Also examined are the various recruitment strategies available to
international organisations to achieve equitable greographical dis-
tribution. It was shown that a rigid adherence to a mathematical
formula to recruit staff members would have disastrous results for
an organisation as it would restrict in an impractical fashion the
flexibility on which the success of any good administration must
depend. The practice of secondment is appropriate in an organisa-
tion in which there is a relative great commonness of purpose among
its members. But in a more broadly based international organisation
with greater diversity among its members the secondment system would
tend to produce an unmanageable cacophony. It is in this more
universal context that the development of a career service culti-
vating a distinct loyalty to the oganisation seems most necessary.
The justification for a career service is that it can shield indivi-
dual staff members against outside pressures.

Turning to the specific situation in ECOWAS and the EAC, we can conclude that multinational staffing in these communities has had primarily negative effects on the performance of the communities. The quota system, alternation of nationalities in the hierarchy, member state claims on strategic positions for their nationals, and restriction of promotion prospects as a consequence of the over-emphasis on nationality-all these phenomena have created problems for the communities and have been exacerbated by differences in national ideologies, inherited colonial structures, fear of domination, scarcity of quality and quantity manpower, unnecessary governmental intrusion and leadership squabbles. Faced with this situation, the following policy recommendations are suggested to ameliorate the problems in the organisations:

(a)   The establishment of a Career System which will help to insulate individual staff members from outside pressures. This is not to say that there will be no room for a reasonable number of 'seconded' officials in the secretariats. It is highly desirable to have a number of oficials in this category especially to perform particular tasks calling for technical expertise and backgrounds. The career system should be based, firstly on individual merit and, secondly, on national representation without sacrificing competence and suitablity.

(b)   The development of a permanent hierarchical structure for the secretariat and related agencies with a more permanent set of principles defining the command chain, rights, duties and obligations of member staff, their relationship with one another and their basic conditions of service.

(c)   The establishment of a body (a sort of Committee of Recruitment and Appointment) which will be charged with the responsibility of recruiting and selecting upper echelon personnel for the organisation. The procedure which allows Heads of State to appoint and nominate heads of agencies or the secretariat and other executive position would be unacceptable. However, the Secretary General should have th power to make minor staff appointments.

(d)   All executives should be treated as autonomous entity having no links with national administration, except in the normal performance of their duties. They should cultivate a distinct 'international viewpoint'.

(e)   All community member countries should sign protocols pledging non-interference in the administrative affairs of the organisation.

(f) An adoption of not more than two working languages. This will help to reduce the heavy financial burden involved and simplify internal communications.

(g) Employment priority should be given to individuals who demonstrate competence in the two languages. For those who demonstrate competence in one language, but who are otherwise well qualified, it should be mandatory for them to learn the language in which they are not proficient. The secretariat should establish a Language Workshop for this purpose.

Perhaps if these are done, the factors which have cast a dark shadow on the golden epoch of pan-African cooperation would diminish and this will help to wed community countries in happy marriage of convenience.

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Administration of Institutions of Higher Learning: Purposes, Problems and Remedies

M.R· KOLHATKAR

INSTITUTIONS OF higher learning may be taken to be those imparting higher education of the degree level as also those engaged in research. Institutions at post—school stage, awarding merely a diploma, e.g., polytechnic-type institutions, are excluded. Again, such institutions, though not imparting under—graduate or post—graduate instructions as are engaged in research and pursuit of knowledge are to be included. By extension, all such agencies which though not directly engaged in the pursuit of higher learning, directly exert a vital influence on the conditions of work in these institutions, or in other words, institutions with financing and coordinating functions, may also be included.

Viewed in this light, the typology of institutions of higher learning may be set out as below:

1. Agencies coordinating standards and granting funds to institutions of higher learning, like University Grants Commission, learned councils, like Indian Council of Social Science Research, etc.;
2. Universities, including institutions, deemed to be universities;
3. Colleges; and
4. Research institutions.

IMPORTANCE

The study of administration of the institutons of higher learning is important from several points of view.

Firstly, institutions of higher learning perform several important social functions. Since the universities are a leading example of institutions of higher learning, it would be well to refer to the functions of the universities in the modern world. We have several formulations including the one contained in the Report of Education Commission (para. 11.02, 1964-66). A more analytically exhaustive list is as folows: (i) Knowledge production, (ii) Knowledge transmission, (iii) Mental development, (iv) Screening,

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(v) Value-affirming, (vi) Rationing, (vii) National prestige, (viii)Social control, (ix) Social order, and (x) Social criticism (Vide Prof. R.P. Dore as quoted by Prof. S.K. Mukerjee in his **Challenges in the Management of Education in India**). Clearly, institutions of higher learning are indispensable to the functioning of a modern society. In fact, the sociologist Daniel Bell would call them the defining structures of the 'Post-Industrial Society'.

Secondly, we have to consider that very high value is placed on higher learning in the Indian tradition. F.W. Thomas quoted in the Report of the University Education Commission (Volume I, p. 411) observed: "There is no country where the love of learning has so early a origin or has exercised so lasting and powerful an influence." Geeta calls learning as the most sacred object ("Na hi Jnyanena sadrisham, pavitram iha vidyate"). The Upanishads recognised the liberating role of education, especially higher education, much earlier than the Age of Enlightenment in the Eighteenth Century Europe ("Saa Vidya Yaa Vimuktaye"). The care and concern devoted to institutions which nurture such intrinsically valued matter must be commensurate.

Thirdly, in purely economic terms, the importance of giving adequate attention to problems of administration and management of these institutions cannot be over emphasised. The total budgeted expenditure on education taking both the Centre and the states, the plan, non-plan, revenue and capital expenditure together, amounted to a staggering sum of Rs.4409.59 crores in 1981-82 which was 10.5 per cent of the total budgeted expenditure of the Central and state governments in the country. This included expenditure incurred not only by education department but also by other departments. If we take expenditure on the university and higher education only, incurred by various education departments, both at the Centre and the states, it was Rs.547.13 crores constituting 15.2 per cent of the total expenditure on education as a whole including primary, secondary and other sectors. The need to ensure proper utilisation of this heavy investment cannot but necessitate the most careful attention to the problems of management of the sector.

Fourthly, institutions of higher learning are the main source of supply of manpower for various tasks of development and maintenance. This manpower is deployed at various levels not only at the highest or the leadership level but also at supervisory, technical and clerical levels, both in public and private sectors. It is also out of this manpower that creative persons in various walks of life including science and technology, art, and literature are drawn. The quality of this manpower cannot but be affected by the way the institutions of higher learning are administered.

Fifthly, the scale and variety of institutions of higher learning in India is staggering as is explained below:

Universities

According to the UGC Report 1981-82, there were 118 universities as on March 31, 1982. Since then, two more have been added, making a total of 120 universities. Only 20 of these existed before independence. Thus, the net increase in the number of universities since independence is 100. Besides, there are 13 institutions deemed to be universities, including Indian Institute of Science, Bangalore, which was established prior to Independence and 9 institutions of national importance like All India Institute of Medical Sciences, New Delhi; Post-graduate Institute of Medical Education and Research, Chandigarh; Indian Statistical Institute, Calcutta, etc. Out of 120 universities, 21 are agricultural universities, all of which were set up after 1960 - G.B. Pant University being the first to be established. There is one university devoted to Ayurveda and four are language universities, namely, Sampurnanand Sanskrit, K.S. Darbhanga Sanskrit, Shri Jagannath Sanskrit, and Tamil universities. From the point of view of governance, we have state universities (113), central universities (7), and deemed universities (13). From the point of view of academic structure, we have unitary universities, affiliating universities and federal universities. All these universities accounted for an enrolment of 29.52 lakhs students and 2 lakhs teachers. In addition, there were 47 research institutions in 1977-78.

Colleges

At the time of independence, there were 263 colleges in the country. In 1981-82, the number of colleges increased to 4886, a majority of which, namely 3504 were arts, science and commerce colleges. Out of them, 804 colleges provided post-graduate teaching. Colleges also accounted for 5/6ths of the student enrolment, namely 24.55 lakhs.

Professional Institutions

We also have high level professional institutions like five Indian Institutes of Technology (Bombay, Delhi, Kanpur, Kharagpur and Madras) and three Indian Institutes of Management (Calcutta, Ahmedabad and Bangalore). The IITs established under Institutes of Technology Act 1961, have been declared as institutions of national importance. The Institutes of Management do not have a statutory status but all the same, are institutions of national stature engaged in higher education and research.

Research Councils

We have the following five Research Councils for different disciplines: (a) Indian Council of Agricultural Research, New Delhi, which controls several research institutions in the fields of crop, soil and animal husbandry. Besides, Indian Agricultural Research Institute, Delhi also happens to be a deemed university. (b) Indian Council of Social Science Research, New Delhi, controls 17 research institutions devoted to applied socio-economic research in a regional context. They are also recognised as institutions for conducting research by various universities. (c) Indian Council of Historical Research, New Delhi, (established in 1972), promotes scientific writing of history and sponsors historical research programmes. (d) Indian Council of Philosophical Research (established in 1977 and revived in 1981) promotes studies and research in philosophy. (e) Indian Council of Medical Research functioning under Ministry of Health promotes research in medical sciences.

University Grants Commission (UGC)

A consideration of problems of administration of the institutions of higher learning in India cannot leave out of account the coordinating and financing mechanism, namely, University Grants Commission established in 1953. Unlike in UK where the University Grants Committee is established by a Treasury Minute, the UGC in India is a statutory organisation. The UGC performs a variety of functions, namely, financing the maintenance and developmental needs of Central universities, financing developmental programmes of state universities, giving financial assistance to recognised colleges, formulation and issue of guidelines in a variety of matters like curriculum, evaluation, etc. The UGC also implements international academic collaboration programmes as part of Cultural Exchange Programmes or otherwise.

Sixthly, the problems of administration in the field of institutions of higher learning are somewhat opaque because hard data, and analysis based thereon are inadequate. Since the introduction of modern western education in India, there has been a spate of reports on higher education in India including the Report of Indian Universities Commission (1902); Calcutta University Commission Report (1917-19); Report of the University Education Commission (1948-49) (Chairman Dr. S. Radhakrishnan); Report of the Education Commission (1964-66) (Chairman Dr. D.S. Kothari); and the Report of the Committee on Governance of Universities and Colleges appointed by UGC (1971). It has to be pointed out that many of these reports were required to proceed on the basis of global data, accumulated experience, and views of experts. In India, we have hardly anything

rivalling the mass of reports of the Carnegie Commission on Higher
Education in USA, and the Magisterial Report on Higher Education in
U.K. (Chairman: Lord Robbins) which was based on a series of commis-
sioned study group reports. The thinking in the field of higher
education in India tends, therefore, to have a particularly
exhortatory tone and a high flown language, but doubtlessly with
compensatory mechanisms. This is partly due to under development of
education as a discipline in India and neglect of the area of
administration and management within the larger field of education.
We have only one Centre of Advanced Study in Education, viz., in
M.S. University of Baroda. We have a National Institute of Educa-
tional Planning and Administration (NIEPA) which arose out of Asian
Institute of Educational Planning and Administration: It started
devoting attention to the problems of financing and management of
higher education only recently. The Association of Indian Universi-
ties has conducted some research studies in the field of examination
reform and economics of education. The UGC relies on panels of
teachers and experts which lack competent staff support. The Indian
Council of Social Science Research has brought out survey reports on
research in several disciplines but none so far in the discipline of
education. In terms of statistics, higher education is also not
well served. The fourth All-India Educational Survey was confined
to school education. The UGC has a statistical unit but the
detailed statistics relating to development of university education
in India become available after a considerable time-lag. Moreover,
UGC has not commissioned any analytical monographs making use of
statistical data. Due to this inadequacy, especially of micro-level
studies and analytical monographs, one has to grope in dark for
clues and solutions.

Objectives

Having surveyed the field of institutions of higher learning, we
may now consider the objectives as also the problems facing these
institutions before considering remedies for the same. We are here
concerned with these from the angle of optimum administration
management of these institutions.

The traditional functions of institutions of higher education are
identified as imparting instruction, furtherance of knowledge by
engaging in research and by pursuit of scholarship and serving the
society with various extension activities. We may briefly refer to
these objectives as instruction, research, and service.

It may be asked whether there is any hierarchy among the three-
fold objectives enumerated above. In other words, is it possible to
suggest that a particular objective of the university is dominant or

primary and the other follows therefrom? Logically, a teaching
function presupposes a body of knowledge which can be taught.   The
body of knowledge is not static but keeps on changing. Progress in
the field of science and technology widens frontiers of knowledge
rendering many old ideas obsolete. Besides knowledge has also to
acquire a commitment to the cause of humanism and justice and relate
itself to emerging social purposes. There is, therefore, a process
of renewal of knowledge apart from the progress in the field of
science and technology. No doubt, in a society wherein knowledge
consists of a body of precepts handed down from generation to
generation, then it will become indistinguishable from inherited
wisdom. Therefore, it will not have problems relating to creation
and renewal of knowledge. In the modern times, however, knowledge
is progressive. Therefore, imparting of instruction presupposes
prior creation and renewal of knowledge. From this point of view,
knowledge creation function could be regarded as the most important
function.

Among the two remaining functions, namely, imparting of instruc-
tion and service to the society, the function of imparting of
instructions has assumed disproportionate importance in recent
times. Universities and colleges have been turned into teaching
shops where instruction is given for a fee and subject to fulfilment
of minimum conditions, and at the end of a predetermined period, the
student comes out with a degree. In such a situation, there tends
to be a concentration on creation of facilities connected with
imparting of instruction. It is assumed that instruction can only
be imparted in class-rooms with the accessories of laboratories and
libraries. Students who come from far-flung areas are required to
be housed for which hostels are necessary. Teachers are also
required to be provided with housing and the non-teaching staff or
karamcharis do not lag far behind in the demand for their share of
the facilities. The progress of higher education, therefore, is
equated with the opening of more colleges and construction of
additional physical facilities in the form of class-rooms, labora-
tories, libraries, hostels, and housing units. In the process, the
question of quality of instruction and whether the instruction
imparted fulfils standards of the latest created knowledge become
subsidiary issues.

The third objective, namely, service to the society has been
recognised as an important function only in recent times. The
earlier situation was quite different. The conflict between 'town'
and 'gown' is well-known. We are also accustomed to the universi-
ties being referred to as 'ivory towers'. These usages indicate
that universities are regarded as isolated institutions not much

concerned with the day-to-day life of the community.   In the nineteenth century, a beginning in the direction of service function was made by opening what were called extra-mural or extension branches of various universities.   More recently, extension education, continuing education, and adult education activities of the universities have assumed importance.   It is also recognised that universities should conduct research which is of relevance to productive activities of the society and it is expected that they should turn out degree holders capable of being absorbed in different gainful occupations.   The service function, however, goes much beyond relevance of research and the employability of the students and must cover utilisation of facilities and manpower of the institutions of higher learning for fulfilling the current needs of the society in the best possible manner.   Thus, in the present context, when universalisation of elementary education and eradication of illiteracy by 1990 are priority items of educational policy, there is no reason why both teachers and students in institutions of higher learning should not be deployed for fulfilment of the targets in their respective areas in the most cost effective manner.

It may, therefore, be stated that the most important function of the institutions of higher learning is that of production of knowledge.   The next important function is that of service to the society and the third function is that of imparting of instruction. In fact, the function of service to the society could be so broadly defined as to cover the function of imparting instruction and the mode of imparting instruction can be so changed that non-formal channels substantially substitute formal class-room instruction thereby economising in the funding pattern of higher education.

PROBLEMS

Several problems in the field of higher education are commonly mentioned and the mode of administration has a direct bearing on these problems. We may, therefore, consider various problems one by one and also try to distinguish real problems from what are merely symptoms of underlying malaise.

An oft-repeated problem is that of proliferation of institutions of higher education and the related problem of increase in number of students.   At present, we are having about 150 major institutions of higher learning and 5000 colleges in India with enrolment of 30 lakhs students.   However, we have to see these numbers in the perspective of the size and the population of the country.   We have also to consider age-participation rates, viz., the proportion of relevant age-group (18-23), which participates in higher education.

In western countries, these rates vary as follows: 14 per cent in
UK, about 25 per cent in USA, and about 50 per cent in Japan. With
a population of 700 million, and with a far-flung territory, the
number of institutions of higher learning in India is not very
large. As for number of students, the age participation rate was
estimated by Education Commission to be 2 per cent in 1966 and at
present it would be in the neighbourhood of 5 per cent. It is,
therefore, difficult to accept that the number of institutions of
higher education in India or student population in India are dis-
proportionate. In fact, although the development of institutions of
higher education may be and needs to be regulated in some manner,
the inexorable pressure for increase in the number of institutions
of higher education and in the student enrolment has to be accepted
as a fact of real life and as a contributory factor towards equal-
isation of educational opportunities. The real problem about which
one should worry is not the large number of institutions and
students but the actual existence (as against existence in paper) of
these institutions and strength of students really attending
classes.

The second problem is about 'irrelevance of education as it turns
out 'unemployable' graduates. This raises a host of questions
bearing on curriculum, the competence of graduates, and the capacity
of the economy to absorb the output of the system. According to a
Planning Commission report, the number of job-seekers on the live
registers of Employment Exchanges rose from 25 lakhs in 1964 to 143
lakhs in 1979. Of these, 59 lakhs were matriculates and students of
higher secondary stage, and 14 lakhs graduates together making a
total of 73 lakhs. It would, thus, be seen that the educated unemp-
loyed account for only 50 per cent of the people who seek jobs and
the graduates account for 20 per cent of the educated unemployed.
Numerically speaking, graduate employment cannot be regarded as a
crucial problem. The real problem is inadequacy of job openings
which adds a backlog from one plan period to the next, making a high
cumulative total. The reference to 'unemployable' graduates is also
exaggerated. An important function of higher education is to turn
out enlightened citizens. In a milieu of rapid progress in science
and technology, it is difficult to produce graduates who are exactly
fitted for different job opportunities at any given time. What can
be attempted is to see that the graduates coming out of the system
possess the minimum skills and competence. Even the UGC in its
revised guidelines for restructuring of the undergraduate courses do
not aim at 'employability' of graduates but refer only to the need
for making the courses relevant to local needs and increasing
'horizon' of employability of science and art graduates. This is not

to underestimate the need for restructuring courses but to point out that no amount of vocational bias to the curriculum in the higher education can ensure employability of all graduates coming out of the system nor can a higher education system geared merely to turning out immediately employable graduates could be socially justified.

A third problem is that of student indiscipline. This has several manifestations, e.g., students disrupting classes, interfering with management function, indulging in violence during elections or otherwise, and engaging in 'unfair' practices at the time of examinations. Sometimes, student unrest spills beyond the campus and leads to destruction of public property, like buses, etc. 'Student indiscipline', when properly analysed, turns out to be a symptom rather than a malaise. Case studies have pointed out existence of some neglected underlying local grievance or general lack of motivation for studies or lack of respect towards authority in general, including teachers and university functionaries behind such instances. It may also be exacerbated by intrusion of politics on the campus and identification of student groups with political parties operating at the state or national level.

A fourth problem is that of unionisation of teachers and the non-teaching staff. It is necessary to differentiate the manifestations of this problem according to the group concerned since the significance differs.

So far as unionisation of non-teaching staff is concerned, it is a spill-over of the general spread of trade unionism from the industrial sector to the public sector and from the public sector to the public supported institutions. It is strengthened by inflationary pressures which may cause real economic hardship but it also gets support from infilteration of political elements in the staff as well as leadership struggle among various associations.

The trade unionism among teachers, however, is of more ominous significance. Teachers are regarded as the fulcrum of the academic structure and traditionally they have been objects of respect. Teachers are to be respected because they embody in themselves the accumulated knowledge and wisdom for garnering which the students foregather in the institutions of higher learning. The pursuit of learning for teachers is regarded as a matter of life vocation and not an economic occupation. Teachers are also expected to set examples not only of learning but also of character and moral values. The unionisation of teachers represents, therefore, a very serious break with traditional norms according to which teachers are trustees of the future of students. No doubt, teachers also suffer from inflationary pressures but there could be other cnceivable

methods of redressal of their very real grievances. We may, there-
fore, consider unionisation of teachers as a real problem in the
management of institutions of higher learning.

A fifth identified problem is ¬hat of inadequate funding. The
figures given earlier show that the outlays for education are
already considerably high and the scope for increasing them in any
substantial degree is extremely limited. Education next to Defence
accounts for the largest portion o. budgetary allocations of the
government. In the education sector, universalisation of elementary
education and the spread of adult education to cover the working
population between the age group 15-35 must necessarily take a
precedence over other programmes. In fact, in the Western countries
like UK, Canada, Australia and USA, universities are faced with
drastic cuts, both in real and monetary terms, ranging from 10 to 20
per cent per year. The situation in India is much more hopeful and
we could expect continued increase in the allocations for higher
education. We may, therefore, discount inadequacy of financial
allocation as a real problem of the system.

The more important cause for concern is the inadequate utilisa-
tion of the facilities already created. According to a UGC estimate
made in 1981, the various college and university buildings are used
only in one shift and their utilisation does not exceed 25 per cent
of time even of that one shift. This also applies to other facili-
ties like laboratories and libraries to a large extent. A more
rational scheduling of time table and proper deployment of teaching
staff should help in higher enrolment without creation of corres-
ponding facilities. The problem, however, is not recognised by
university management.

Another problem often highlighted is 'political' interference.
This can be through politicisation of the students, karmacharis or
teachers as earlier mentioned, but, more importantly, it refers to
interference of government in the day-to-day affairs of the uni-
versity, or, in other words, invasion on the university 'autonomy'.
University 'autonomy' has to be distinguished from academic freedom
which signifies freedom of expression for professionals. Autonomy
has several aspects, namely, financial, administrative, and
academic. It is indeed difficult for universities in India to have
full financial autonomy as they depend for 90 per cent or more of
their income on the government grants. Moreover, they are also
required to get approval for specific schemes from the UGC.
However, within the given financial constraints and subject to
observance of procedures, universities do enjoy financial autonomy.
There are hardly any instances of the interference of the government
in the academic autonomy of the universities, namely, framing of

courses and the procedures for admissions and evaluations.   So far
as administrative autonomy is concerned, it may be stated that its
preservation depends largely on the independence and the integrity
of the higher management of the university.   In this connection, we
may refer to a significant observation of Dr. K.L. Shrimali, a
former Union Education Minister, who also served as Vice-Chancellor:

> The real threat to autonomy does not come from the State as much
> as it does from within.   The members of the faculty who use their
> position of power and influence to promote the interests of their
> relations or kinsmen and those who instigate students against
> their own colleagues or authorities and who fail to observe high
> standards of integrity required of the academic profession – in
> teaching, conducting examinations and in making appointments –
> are the real enemies of university autonomy.

We may now refer to administrative and managerial weaknesses as a
real problem.   The Committee on Prevention of Corruption (Chairman:
Shri K. Santhanam) set up by the Government of India (1963) observed
in its Report as follows:

> Universities are the main source of supply of officers for our
> public services, especially at the higher level.   It is, there-
> fore, of supreme importance that they should set standards of
> integrity which would become an integral element of the intellec-
> tual and psychological outfit of every graduate.   It is a matter
> of great regret that in some universities conditions are far from
> satisfactory for the admission of students, recruitment of
> lecturers and professors and the general management of university
> funds.

In pursuance of this report, UGC had appointed a committee to
go into some problems of university administration.   The commit-
tee made a series of recommendations.   The main point to be noted
in relation to university administration is that many matters are
left to be decided by statutes and ordinances which are required
to be framed and duly notified by the university administration.
There is, however, a lack of energy and systematic pursuit of the
proposals for framing statutes and ordinances.   Suggestions
received from appropriate authorities for framing statutes and
ordinances are disregarded and there are glaring gaps in regula-
tion of several aspects of administration.   This compels the
universities to function in an ad hoc manner and exposes them to
arbitrariness.   There is also inadequate commitment to the tasks

to be performed on the part of senior officers of the university. Therefore, tightening of administrative procedures and practices in universities needs urgent attention.

MEASURES AND REMEDIES

Visitor, Chancellor and Central and State Governments

The Visitor (President of India) in central universities and the Chancellor (Governor of the State) in state universities, enjoy certain powers. These powers are either ornamental or marginal or if real, are of such a type as are invoked only as a last resort. The Visitor and Chancellor may make nominations on the Court/Senate and Executive Council/Syndicate. The Statutes generally require Visitor's/Chancellor's approval. The Visitor/Chancellor has also got powers of inspection and inquiry which are seldom invoked. In the case of seven central universities, in the post-independence period, visitorial power of inquiry has been invoked only twice, in relation to only one institution. The Visitor normally acts in accordance with the advice of the Education Minister. In the case of Chancellor, problems may arise sometimes, when he takes an independent line. This is, however, largely a matter of personal relationship between the Chancellor and the State Education Minister. In general, there does not appear to be any need for change in the status of the Visitor/Chancellor.

Coming to the role of governments, the Central Government in relation to central universities does not play any substantial role apart from advising the Visitor and apart from generally being accountable to parliament for happenings, in the universities. The Central Government, as distinguished from Visitor, has powers mainly in relation to raising of loans by the universities. Central Government, through the Visitor, may suggest certain guidelines to the universities, but they may not be accepted. In fact, there are occasional problems in collecting requisite and adequate information from the central universities. There are also problems of ensuring financial discipline and ensuring uniformity in service conditions of teaching and non-teaching staff. There appears, therefore, to be a need for a more active role for the Central Government in relation to central universities subject to certain safeguards. One measure which can go a long way towards remedying some of the ills of universities is the power of initiating amendment to statutes or introducing new statutes, subject to an opportunity to the university to show cause against amendment/addition.

Coordinating and Funding Agencies - UGC

We may take, as examples of coordinating and funding agencies, two bodies, namely, UGC and Indian Council of Social Science Research (ICSSR). Under Section 12 of UGC Act, UGC has substantial powers of coordination and determination of standards not only in relation to central universities but over the whole field of higher education. There has been a criticism, however, that UGC is functioning primarily as a grant-giving body and its performance in other areas like laying down and enforcing norms in relation to standards of instruction, examination and in relation to institutional functioning leaves much to be desired. Since the Second Plan, 40-60 per cent of the plan expenditure in higher education sector of the Central and state governments taken together, has been routed through UGC. The UGC, has no doubt to its credit certain quality improvement programmes like Centres of Advanced Study and Departments of Special Assistance and Examination Reforms. The UGC also suffers from the handicap that medical education, agricultural education and technical education are outside its purview. It has also to contend with professional bodies like the Medical Council of India and the Bar Council. The UGC has also to function within the financial constraints imposed by annual and five-year plan ceilings. Under Section 20 of UGC Act, Central Government has power to give directions to UGC on questions of policy relating to national objectives though this power has been invoked only once in 1979 to have a review of UGC programmes arranged. Even taking account of all these, it may be mentioned that UGC needs substantial reorganisation to enable it to fulfil the role assigned to it, regarding coordination and determination of standards. There is need for a greater input of research and analysis in policy formulation process of the UGC. There is need for establishing organic links with allied sectors of education, like technical, agricultural, medical, teacher training and law. In this connection, the Australian model of Tertiary Education Commission established in 1977 could well be studied with advantage. The UGC also needs to strengthen both its appraisal and inspection machinery so that programmes are well formulated and the implementation of approved programmes and the functioning of institutions is systematically monitored.

Indian Council of Social Science Research (ICSSR)

The ICSSR was established in 1969, inter alia, to sponsor social science research programmes as well as research projects and administer grants to institutions and individuals for research in social sciences and to give financial support to learned associations, standard journals, etc. Over a number of years, ICSSR has

established a positive reputation for promoting research in social sciences. It has collaborated with state governments in developing and maintaining 17 socio-economic research institutes all over the country. It has published surveys of research in several social sciences disciplines. It has built up a well stocked documentation centre. It has collaborated with social science research councils abroad. As in the case of UGC, the government has power to give directives to the Council in respect of its policies and programmes. But these powers are hardly required to be used in view of close cooperation between the government and the Council. The council has undertaken two self-assessment reviews and has tried to take remedial measures in the light of recommmendations thereof. It has consciously tried to promote social science research in comparatively underdeveloped states--in response to criticism regarding concentration of its grants in certain institutions. The Council has also sponsored research programmes in important areas like demography and economic history. This is not to say that Council is entirely free from weaknesses. Its administrative and financial infrastructure does need strengthening. However, the Council has received sustained funding on a reliable basis and has been spared the harrowing experience which was undergone by its sister Council in UK during the course of Rothschild Enquiry when the very survival of Social Science Research Council in UK, was in doubt.

Universities : Internal Management
Universities are statutory organisations established under State or Central Acts or they are registered institutions notified as deemed universities. The internal governance of the universities is through its main bodies namely Court/Senate, Executive Council/ Syndicate, Academic Council and the Finance Committee.

Court/Senate :
There is an on-going debate regarding whether there should be a Court-type body in the universities. Courts of universities tend to be large bodies with a strength of 100 or more and sometimes they are also referred to as 'sovereign' bodies of the university. The Gajendragadkar Committee opined in favour of retention of the Court with advisory powers. The model Act prepared by the Indian Council of Agricultural Research does not provide for any such body though some agricultural universities do have such a body. If it is accepted that one of the main functions of the university is service to the surrounding community as well as to the larger society, the need for an advisory body by whatever name called; to sustain the link with the society can hardly be doubted. Most of the criticism about

functioning of the Court is due to its faulty composition and absence of healthy conventions. It might be necessary to have a fresh look at the composition so that the court does not become too unwieldy a body and has appropriate representation not only from social workers but also from industry and professions so that it is able to perform its role as a useful and efficient link with community/society.

Executive Council/Syndicate:

The Executive Council/Syndicate or the Board of Management is the principal executive body of the university. Gajendragadkar Committee opined in favour of majority of members being teachers but the experience of the past few years with the functioning of Executive Councils dominated by teachers has not been very happy. In some cases, the composition of the Executive Council has been such that the Vice-Chancellor's position is considerably weakened. The composition of the Executive Council needs to be reviewed with a view to ensuring that it takes a balanced and broad view of the academic problems in a perspective of public interest and it strengthens the hands of the Vice-Chancellor or crucial academic and administrative issues. Moreover, the experience with having elected elements on the Executive Council has also not been happy and it is desirable that the teacher members working on the Executive Council are selected by rotation according to seniority. There has been a demand for representation of students and the non-teaching staff and in some states the demand has been conceded. Considering the basic academic nature of the university, however, it is desirable that such representation is avoided and some alternative machinery for participation/association of these sections is set up.

Academic Council/Planning Board:

The Academic Council is principally an academic body of the university. Its membership is entirely from among the teachers. There has been criticism that academic councils are conservative and are averse to innovations. In this background, the suggetion for having a Planning Board in the universities which can take a broader view on academic programmes in a perspective of five or ten years is favoured but universities appear to be slow to adopt this measure.

Self-Assessment

There is a provision in the Constitution of Indian Institute of Science, Bangalore, to have a self-assessment by a Review Committee set up by the Institute on periodical intervals. This self-assessment can be in relation to the service function of the institution

as well as other functions.   Jawaharlal Nehru University Act
provides for an internal review though not periodical. The IIS's
practice needs to be adopted more widely.

Finance Committee

The powers of the Finance Committee which looks into all budget-
ary and accounting matters of the university need to be strength-
ened, in the context of financial difficulties faced by most
universities. Executive councils approve proposals without
considering their financial implications and expect the Finance
Committees to make a budget provision. This is quite unrealistic.
Pending amendments of the Acts, a healthy convention can be
developed that the Executive Council obtains the advice of the
Finance Committee in respect of proposals having financial implica-
tions.   The Public Accounts Committee reports on various universi-
ties, both Central and state, have been highlighting glaring
irregularities in the conduct of financial affairs of universities
and the financial and internal audit infrastructure in the universi-
ties also needs to be stregnthened to serve the Finance Committee
more effectively.

Selection Committees

Since independence, there has been a tradition of broad unifor-
mity in the pay scales of university and college teachers all over
the country. The Central Government has been giving financial
asistance to states for implementation of UGC pay scales. The
purpose of uniformity and improvement of scales is to see that there
is mobility of teaching staff across regions and universities. This
purpose has, however, not been served apparently because of lack of
physical facilities like housing but mainly because the selection
committees for appointment of teachers are not appropriately consti-
tuted and are not allowed to function in an objective manner.   The
Committee on the 'Model Act' for universities recommended that
selection committees should be carefully constituted and should have
external experts.   These recommendations need to be observed in
letter and spirit.   The process of selection in the universities is
unconscionably slow.   The question of having a central selection
board for a group of universities, for example, for all central
universities or for universities in a state needs to be seriously
considered.   Indian Council of Agricultural Research has already
constituted such a Central Board for recruitment of agricultural
scientists.

We may now review the role of selected functionaries in the
university.

Vice-Chancellor

The Vice-Chancellor is the principal executive and academic officer of the university. He is the king-pin of the university administration. The duties and responsibilities and the qualities needed of a Vice-Chancellor have been graphically depicted by the Robbins Committee in UK, and the description is too well-known to need quotation. Normally, the Vice-Chancellor is selected from panel drawn by a selection committee consisting of a nominee of Visitor/Chancellor and two nominees of Executive Council; sometimes a nominee of the Court and a nominee of the UGC are also added. The tradition of having retired public servants or judges as the Vice-Chancellors is over. It is now mostly the academics who are selected as the Vice-Chancellors. Considering the performance of Vice-Chancellors in different circumstances, the prejudice for or against Vice-Chancellors drawn from a particular category appears to be entirely misplaced. What is necessary is to see that a Vice-Chancellor, apart from having academic and intellectual credentials, should be a dedicated and conscientious functionary who places interests of the institution and the society above everything else.

Registrar/Finance Officer/Controller of Examinations

The Registrar/Finance Officer/Controller of Examinations are co-equal functionaries who advise the Vice-Chancellor in their respective fields and who are expected to carry out effectively the policies and programmes of the university as laid down by its various bodies. The experience has been that finance officers coming on deputation have done quite well. The Registrar and Controller of Examination tend to be from within the organisations or from similar organisations. It is necessary to guard against the danger of in-breeding in these categories of functionaries. In the new institutions, officers could be drawn on deputation and some of these externally recruited officers have done well. There is need, therefore, to keep an open mind on the question of recruitment of these personnel.

Colleges

As indicatd earlier, colleges constitute the bulk of higher educational institutions in India and account for 80-85 per cent of the student strength. The 80 per cent of these colleges are privately managed though they draw bulk of their funding from public sources. There are complaints regarding indulgence in malpractices by the management of these colleges in the area of admission, selection of teachers, and evaluation. Many state governments have introduced the system of direct payment of salaries to teachers by

adjustment of fee receipts. A few state governments have also passed
legislation regarding take over of college administration for short
periods in public interest. These measures appear to be pallia-
tives. A serious thought needs to be given to the question of
minimisation of the dichotomy between public funding and private
management of the colleges except in the case of minority institu-
tions which are in a category apart.

Research Institutions

As compared with universities, the administration of research
institutions presents comparatively fewer problems because of the
absence of undergraduate and/or post-graduate teaching. On the
other hand, they have the problem of lack of guaranteed funding and
the continuity of staff associated with the fact that the bulk of
their development finances come from funds sanctioned for individual
projects. The head of the research institution, therefore, is
required to have special skills in attracting new projects and
retaining talented staff. The research institutions also lack the
periodical renewal undergone by colleges and universities due to the
fresh intake of students and outturn of degree holders. They,
therefore, need to guard against an atmosphere of stagnation and
lethargy. For the rest, the teacher/staff problems of research
institutions are comparable to the problems of other institutions of
higher learning.

ROLE AND RESPONSIBILITIES OF THE TEACHERS, STUDENTS, ETC.

The management of institutions of higher learning has to be
carried out in such a manner that the clash of interests between
various constituents of the academic community like teachers,
students and non-teaching staff is avoided.

Teachers

As mentioned earlier, teachers are the fulcrum of the institu-
tions of higher learning. To quote Prof. S.K. Mukerji:

He is the central figure in whom the university sees its past
glory and around him it builds its future dignity. A teacher
must be constantly searching and researching, criticising and
learning and making himself fit for his calling. A failure on
his part can unmake all other grandiose structures of the univer-
sity. If he fails to understand this and its importance, nothing
can save a university from stagnation and degeneration.

In this context, the recent tendency to neglect **teaching and scholarship** at the cost of published research is not conducive to the proper functioning of the institutions. When the salary scales of teachers were revised, it was also expected that there would be a concurrent code of conduct for teachers. For various reasons this could not come about. In March 1983, the UGC is reported to have formulated guidelines on code of conduct and professional ethics for teaching staff in the universities. The National Commission for Teachers recently appointed by the Central Government may also suggest concrete measures in this regard so that professional values are internalised by teachers, with little need for external enforcement.

Students

'Student indiscipline' and 'Student unrest' have been a constant refrain of the present-day Vice-Chancellors. This is, however, not a new development. As far back as 500 B.C., when Greek culture was at its peak, Socrates had this to say:

Our youths now love luxury. They have bad manners, contempt for anything, disrespect for older people. They contradict their parents and tyrannise their teachers.

Discounting for the inherent inter-generational conflicts and the natural exuberance of youth, many of the symptoms of student unrest can be minimised if students are satisfied that the admission, instructional and evaluation procedures are objective and rational and are implemented fairly and impartially. There could be a standing machinery for redressal of student grievances and association of students with legitimate curricular and extra-curricular activities under proper guidance and counselling. Whatever the machinery, however, the element of election needs to be eliminated and meritorious and serious students need to be given prominence in student bodies. Students also need to regard eradication of adult illiteracy and universalisation of elementary education in their locality as an integral part of their curricular activity.

Non-teaching Staff

The non-teaching staff have a vital role to play in making the machinery of the university administration run smoothly. There should be a JCM-type machinery for the redressal of their grievances. The procedures for recruitment and promotion should be objective and fair. There should be provision for arbitration in case of difference of opinion between management and staff, except

in matters like salary scales and allowances, etc.

Guardians

In all the discussions relating to university administration, it is surprising that the guardians are not given their due. Parent-teacher associations are an important element in the school administration but the association of the guardians of the students with the institutions of higher learning appears to be neglected. Such an association is likely to curb the partisan enthusiasm of warring factions in the university, make the students adopt a more responsible attitude and, in general, bring a socially informed outlook to bear on the management of the institutions of higher learning.

Systematic Transformation

The purpose of the foregoing discussion on objectives, problems and remedies of administration of institutions of higher learning was to analyse the complexity of the issues involved. We have dealt with problems of internal management and the ecological problems of coordination and funding. We have not, however, dealt with the possibilities of transformation of the system itself. These would take us far afield and can only be glanced at.

There is a need for introduction of open learning systems, much more attractive than the present correspondence courses, so that the non-formal channels of instruction may be able to take the load off the formal system of education. The availability of such alternative and attractive channels may preclude the need for introduction of selectivity in admissions at least at under-graduate level which is rightly considered to be against our social objective of widening access to higher education of weaker sections.

We may also have to look into the system of financing of the education which may involve concepts of full cost fee, qualified by elements of student-loans or grants. This has relevance both from the point of view of financial constraints as well as regulation of admission.

CONCLUSION

In conclusion, we can do no better than reproduce the general observations of Radhakrishnan Commission on University Education:

We were everywhere struck by a deep general awareness of the importance of higher education for national welfare and an uneasy sense of the inadequacy of the present pattern. While it is generally recognised that the universities should provide the

best teaching over the entire field of knowledge of which its own
resources may permit, that they should offer this teaching to the
widest range of students irrespective of class, sex, caste or
religion, that they should extend by original inquiry the
frontiers of learning and, above all, mould and shape students
not merely by the training of the intellect but by the discipline
of the spirit, university men and women were aware of serious
shortcomings in the functioning of the universities in regard to
these matters. The wonder is not that the universities have
fallen short in many respects, but that they have achieved some
measure of success in several directions. But this is no cause
for complacency. The marked deterioration of standards in
teaching and examinations and increasing dissatisfaction with the
conduct of university administration and elections to university
authorities are matters of great concern. The universities as the
makers of the future cannot persist in the old patterns however
valid they may have been in their own days. With the increasing
complexity of society and its shifting pattern, universities have
to change their objectives and methods, if they are to function
effectively in our national life. A policy of drift in the vague
hope that, if the universities are granted full autonomy and are
permitted to pursue their own ends with intelligence and imagina-
tion higher education will take care of itself, will be danger-
ous. Automatic and spontaneous adjustment will not take us to
the future we want. We must develop a comprehensive positive
policy within the limits of which there should be ample scope for
pioneering and experimentation.

Our discussion so far has been an essay towards developing such a
positive policy. It is clear that there is scope for qualitative
improvement in the administration and management of institutions of
higher learning. What is necessary is a will among different
constituents of academic community, prevalence of purposive leader-
ship at the helm of affairs of an institution and funding and
coordination related to observance of appropriate norms and guide-
lines of policy.

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Changing Features of Budgetary Functions

C.O. OMEH

THE OLD concept of the nature of budget is that the annual budget should always balance. The theory of balanced budget prevailed in the United Kingdom up to the end of ·1933. Any measures used to secure balance in the British annual budget were justifiable to the British.

The British adherence to the doctrine was severely criticised as sentimental and primitive. "This moral sentiment re-inforced by a primitive and widespread fear of unbalanced budget reached a high pitch in 1931."[1] In this year, the budget was actually balanced in the United Kingdom. However, in 1933, the sentiment for balanced budget grossly waned in favour of the unbalanced budget. Consequently, the then Chancellor of the Exchequer, Mr. Neville Chamberlain was pressurised into presenting an unbalanced budget so as to increase employment.

MEANING OF A BALANCED BUDGET

A balanced budget singnifies that the estimated expenditure and revenue of the government are equal. It represents "a situation that requires both taxes and transfers to stay at the zero level".[2] A budget is "balanced, if during the accounting period there is no increase in the net dead-weight public debt".[3] A balanced budget conveys "the idea that a government is virtuous if it matches expenditure with revenue".[4]

Balanced budget has been rejected on many grounds, some of which are mentioned below. The size of the public sector of the modern economy is enormously increasing annually. This requires large annual increments in the funding of the sector. Balanced budget hinders rather than expanding the provision of the much-needed goods and services for the community. It is not an insurance against inflation or deflation.

Balanced budget induces caution on government spending. The modern government spends too large sums of money and, therefore, needs caution. Unbalanced budget may induce currency depreciation.

This is because an unscrupulous government may find adequate
taxation unpopular especially when a general election is round the
corner.   Such a government may resort to the printing press. While
deficit budget is inevitable in the modern economic policy, chronic
deficit is indefensible.[5]

In the long-run, the annual budget has to balance.   It will be an
economic suicide to allow continuous increases in both time and
amount of public debt. Chronic deficit for many years in succession
is bound to generate disastrous inflation, very difficult to
contain.   However, the general consensus is that the annual budget
need not balance in the short-run.   In the short period, budget
deficit cannot lead to currency depreciation.

Indeed, "the concept of the balanced budget has an intuitive
appeal to the individual because of the analogy with the economy of
the private household.   But it has no validity in the accounts of
the nation.   It is dangerous because it conceals the real issues
which are the best use of the nation's resources".[6]   Thus, the
traditional concept of balanced budget has been totally rejected
because of its limitations vis-a-vis the modern economic policy.

THE MODERN CONCEPT

The theory of the annual budget balance is generally rejected as
being anachronistic and of hindering the provision of much-needed
goods and services to the community.   The new budgetary concepts now
in vogue include: "The budget balancing the whole economy"[7] and "the
full- employment budget concept".[8]   Though the first concept seems
to embody the second but we, however, intend to discuss the two
separately.

BUDGET BALANCING THE WHOLE ECONOMY

The modern budgetary theory pre-supposes that budgetary policy is
a powerful instrument of economic regulation.   It can, therefore, be
employed to attain the planned economic objectives.   Such economic
goals include high rate of economic growth; reduction in unemploy-
ment or attainment of full-employment; stability of the price-level
and equitable distribution of income or reduction in inequality.
This budgetary policy could, therefore, be used to keep the economy
at 'an even keel'.

It is observed that all these economic goals cannot be attained
simultaneously at the same time.   There is bound to be a conflict
between the goals.   For example, a policy of high rate of growth may
be compatible with that of full-employment but it conflicts with

that of price-level stability. Consequently, it is impossible to achieve full-employment or high growth rate without inflation. Similarly, the attainment of the goal of price stability has the potential of deflation.

However, for every development in the economy, the modern budgetary policy provides a remedy. When the economy is over-heated and causes dangerous inflationary pressures, the right cure is the budget surplus. If the economy is facing deflation, the cure lies in budget deficit.

For the economy to remain non-inflationary and non-deflationary, the total value of the public and private new savings should equate the total value of the public and private new investments. Excess of investments over savings distorts the economy by generating inflationary prices. Moreover, the combined levels of investments and consumption would certainly become excessively high. This signifies over-heat in the economy and the authorities "are trying to do too much".[9] The obvious remedy lies in the reduction of investments or consumption or both or in raising the level of savings so as to be equal to that of investments.

Similarly, excess of savings over investments distorts the economy in that it breeds deflationary conditions; falling prices and rising unemployment. With savings exceeding investments, the combined levels of consumption and investments have touched a stagnating low level. This signifies that the authorities "are not trying to do enough".[10] To cure the 'malady', the investments or consumption or both should be raised or the savings should be reduced to the level of investments.

One of the most important facts confirmed by the above analysis is that savings must always equate investments. This equation is inevitably required for the inflationary or deflationary gap between demand for and supply of consumption goods plus capital goods to be closed up. "In the economics of the budget, this is the most important gap to close."[11]

THE FULL-EMPLOYMENT CONCEPT

This budgetary concept recognises attainment of full-employment as one of the most cardinal priorities of government policy objectives. Budgetary estimates should, therefore, be constructed with a determination to allocate adequate national resources for the achievement of full-employment.

Budget "balanced at full-employment levels of income"[12] is a new concept which pre-supposes that government should determine public expenditure and the tax rate in such a way as to produce a balance

at full-employment. Then, it is expected that the private sector should also achieve the equality of savings with investments at that very level.

The variant of this basic idea states that given a condition of full-employment, there could be a surplus or deficit budget but any further government expenditure should be of balanced-budget type.

The variant is rejected on technical ground. A balanced budget is not a shield against inflation or deflation. Various types of tax and public expenditure have various effects on the economy.

Thus, the full-employment concept remains valid. It "played a part in some American presidential budget messages".[13] In a developing nation, like Nigeria, where unemployment is a major economic and social problem, budgetary policy, efficiently administered, has great potentials for effective reduction of unemployment.

OPPORTUNITY FOR GOVERNMENT ACCOUNTABILITY

In the modern times, the annual budget has become "the focal point of the government's economic policy".[14] However, it is a fundamental obligation of the government to present annual budget accounts of its financial management. Nowadays, annual budget serves as a convenient forum which the government uses to make a wide-range review of the nation's general economic situation. It offers an opportunity to the government to defend and eulogise itself on its past performances and to convince people into accepting future policy measures. Through budget, government discharges its constitutional obligation of public accountability.

In the presidential system, the executive faces a difficult task of persuading the National Assembly to accept the proposed budgetary measures. Sometimes, this entails intensive lobbying. In addition, the administration has to exert efforts in securing the cooperation of all the sectors of the economy for implementation of the government's programmes. In the parliamentary system, the Prime Minister is assured of legislative approval in advance. Without such a guarantee, the government would not have been formed. Modern budget is very pervasive and all-embracing. This trend obtained in the remote past but on a minor scale. Budget, therefore, "has always had widespread ramifications throughout the economy"[15] of nations.

The modern budget differs from the earlier one in three essential ways. Budgetary policy is now-a-days deliberately constructed, keeping in view its pervasiveness. The size of the budget has become very large. Because of its large size, the modern budget has acquired the great potentials to exert enormous influence over the functioning of the national economy.

STABILISING AGENT

Economic stability is vital for a developing economy provided such an economy does not settle in under-development equilibrium.

Economic stability can be effectively achieved through budgetary functions since budgets exert great stabilising influence on the economic activities of a community. For a budget to accomplish this task, it must be large enough in relation to the aggregate economic operations of the community. This concept accounts largely for the ever expanding size of the modern budget estimates.

RECESSIONAL GAP

The worldwide economic recession is pushing the national economy up to the point of cyclical depression. The deflationary symptom is manifest in the prevailing low tempo of economic activities.

To deal effectively with the recession, the appropriate means is that of deficit budget. A deliberate deficit budget has the potential of stimulating economic activities and generating a rise in the price level. Thus, the entrepreneurs will earn high profits which will enable them to expand their business, construct new ones; increase employment of men and materials and make more investments. The increased economic activities will continue until the full recovery of the economy is attained. At this point, there is an equilibrium where investments equate savings. Thus, the recession gap is closed.

While the traditional economic stimulant mentioned above is applied, the government should flood the market with the essential commodities including raw materials. The effect of this simple policy will certainly minimise the impact of the recession.

THE NATIONAL DEBT PROBLEM

In closing the so-called recessional or deflationary gap, care should be taken not to embark on chronic deficit budgeting. Chronic deficit will certainly involve a continuous expansion of the public debt. The evil effect of large public debt lies in its capability for discouraging production and equitable distribution of income.

However, contributions from capital taxes and cheap money policies will minimise the impact effect of public debt. A graduated system of capital tax will promote a reduction in "unequal distribution of capital, and hence of income".[16] The proceeds of the taxes can also be applied for the reduction of the public debt. In the period of cheap money, a low interest rate favours investment and

full employment than a high rate. It also encourages more equal
distribution of income.   Even if deficit financing involves
increases in the national debt, the burden does not necessarily
increase since the service charges may fall as the rate of interest
falls due to the operations of cheap money policy.

NATIONAL GOALS OF BUDGETARY POLICY

It is obvious that budgetary policy is a potent instrument with
which a community can attain its full-employment, high rate of
growth and stability objectives. The employment of budgetary policy
to achieve the national aims and objectives mentioned above is beset
with difficulties. It was pointed out earlier that for a budget to
be an effective economic stabiliser, it must be large enough in
relation to the aggregate economic activities of the community.

In those countries which depend largely on foreign trade, there
are bound to arise "wildly uncertain estimates often in most un-
stable situations".[17]   In these nations, budgetary policy cannot be
a complete panacea for all the aims and objectives.

The reason for such a situation is not far to seek.   These
countries are not masters of their fate in international finance,
economics, trade and politics. They are vulnerable in all these
areas when compared with the United States of America or Soviet
Russia. The external trades of these two giants are small and,
therefore, they can profitably use budgetary policy to achieve their
economic aims easily.

Nigeria is a typical example of a country which is vulnerable to
the external market's vicissitudes. The country's external trade
must be balanced so as to shield our foreign resources from declin-
ing to abysmal level. To achieve balance requires concerted and
persistent efforts at diversifying our sources of foreign exchange
earnings. The easy transmission of the harmful effect of oil slump
in international market to Nigeria is because of our over dependence
on the world oil market. Unless the international oil market demand
improves markedly, the instrument of budgetary policy will be of
limited help in reviving Nigeria's economy.

However, there are positive indications that the international
demand for oil is rapidly improving. This has engendered optimism
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6. Those who call Indian Constitution as federal are: M.P. Jain, **Indian Constitutional Law**, 1978, p. 357; Alexandrowicz, "Is India a Federation?", ICLR, 1954, p. 400; Granville Austin, **The Indian Constitution-- Cornerstone of a Nation**, 1966, p. 186. However, P.K. Tripathi says that to call India a federal polity is a myth. See Tripathi, "Federalim: The Reality and the Myth," JBCI, 1974, p. 251.

7. According to Sir Ivor Jennings, "India has a federation with a strong centralizing tendency". See Ivor Jennings, **Some Characteristics of the Indian Constitution**, 1953, p. 1. Our supreme court in a majority judgement has held that our constitution adopted "a federal structure with a strong bias towards the Centre", see **State of West Bengal v. Union of India**, 1964, I.S.C.R., 371 at p. 448.

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13. It may also be noted here that a large number of seminars and conferences also had been held by research bodies like the Indian Law Institute, the Institute of the Constitutional and Parliamentary Studies and associations of lawyers like Bar Association of India and various Law Faculties.

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17. J.R. Siwach, "The Politics of Suspending and Dissolving the State Assemblies", 11(4) JCPS, October-December, 1977.

18. A.G. Noorani, "Ensuring Governors' Impartiality", **Indian Express**, April 25, 1983, p. 6.

19. For details see, H.K. Pranjape, **Planning Commission: A Descriptive Account**, IIPA, New Delhi, 1964.

20. A controversy had arisen in the past in two cases in two different States. These cases are: **Jay Engineering Works v. State of West Bengal** A.I.R. 1968 Cal. 407 at 488; **Dy. Acct. General v. State of Kerala**, A.I.R., 1970, Ker. 158 (F.B.).

21. For details see, K.R. Bombwall, "Indian Federalism: a Note on Socio-Political Dynamics", A paper presented at the Seminar on **Political and Economic Determinants of Fedealism**, Chandigarh, January 29-31, 1976.

22. **Rajamannar Committee Report,** 1971; **West Bengal Memorandum,** 1977; **Anandpur Sahib Resolution,** 1978.

23. **The Report of the Study Team of the AdministrativeReforms Commission on Centre-State Relations,** 1968.

24. The text of the West Bengal Memorandum adopted by the West Bengal Cabinet on December 1, 1977 is found in **Indian Journal of Public Administration,** Vol.23, pp. 1117-26 (1977).

25. Report of the Cenre-State Relations Inquiry Committee VII (1971); Also see M.C. Kagzi, "A Critique of the Rajamannar Committee Report", Alice Jacob (ed.), **Constitutional Developments Since Independence,** I.L.I., pp. 254-81, Tripathi, Bombay, 1975; S. Sahay, "Bengal Picks Up the Trend", **Statesman,** December 12, 1977, p. 8.

26. Alice Jacob, "New Pressures on Indian Federalism: Demand for State Autonomy", Rajeev Dhavan and Alice Jacob (eds.), **Indian Constitution: Trends and Issues,** Tripathi, Bombay, 1978, pp. 370-378 at p. 373.

27. Same were the views of some other states like Jammu & Kashmir, Tamil Nadu, Kerala, Punjab and Tripura when all these States were ruled by non-Janata Party governments while the Centre was under Janata Party rules.

28. Same is the view of Prof. Alice Jacob, see Alice Jacob, **New Pressures on Indian Federalism: Demand for State Autonomy,** op. cit., p. 373.

29. **Memorandum,** Supra, no. 2, clause 3.

30. Giri Lal Jain, "Asking for More Autonomy: Inevitable Weakening of Centre", **Times of India,** December 7, 1977, p.6.

31. These four Chief Ministers are: Mr. M.G. Ramachandran of Tamil Nadu, Mr. N.T. Rama Rao of Andhra Pradesh, Mr. Ramkrishna Hegde of Karnatka and Mr. D. Ramachandran of Pondicherry.

32. T.V. Sathyamurthy, "Centre-State Relations: Southern Chief Ministers' Meeting", 18 (15), **Economic and Political Weekly,** April 9, 1983, p. 576.

33. K.R. Sundar Rajan, "The Southern Conclave", **The Tribune,** March 28, 1983, p. 4.

34. Article 370 of the Constitution guarantees a special status to State of Jammu and Kashmir.

35. A.S. Abraham, "Autonomy For The States — No Escape from A Strong Centre", **Times of India,** November 8, 1977, p. 8. Also see K.C. Khanna "Centre-State Relations — Dangers of Further Devolution", **Times of India,** Feb. 1, 1978, p. 4; Sahay, "The Demand for Autonomy", **The Statesman,** Feb. 10, 1978, p. 6; R.B. Jain, "Federalism in India: Emerging Trends and the Future Outlook", Rajeeev Dhavan and Alice Jacob (eds.), op. cit., pp. 366-67.

36. His Lordship expressed these views at an All-India Seminar, organised by the Bar Council of India Trust and the Karnataka Bar Council at Bangalore, held on December 16-17, 1978. See Press Report, **Times of India,** Dec. 18, 1978, p. 2.

37. J.L. Kapoor, "The Federal Structure of the Indian Republic: Its Nature and Extent", **JILI,** XXI, 1979, p. 229.

38. Ibid., p. 230.

39. Quoted from the Report of the Sapru Committee, Bombay, 1946, p. 94.

40. See 160/17 Vict., c. 95.

41. M.P. Jain, *Indian Constitutional Law*, 1972, pp. 329-333; Granville Austin, *The Indian Constitution: Cornerstone of Nation*, 1966, pp. 186-194, M.C. Setalvad, *Union and State Relations Under Indian Constitution*, 1974, pp. 2-8.

42. In addition to this some legislative powers are also conferred by some of the articles of the Constitution such as Articles 2 to 4 which provide for admission or establishment of areas, boundaries or names of existing States by Parliamentary legislation; Article 209 provides for regulation by law of procedure in legislature of the State in relation to financial business.

43. *Constitution of India*, Article 254.

44. *Ibid.*, Article 249.

45. *Ibid.*, Article 250.

46. *Ibid.*, Aticle 252.

47. *Ibid.*, Article 253.

48. *Ibid.*, Articles 356 (i) (b) and 357.

49. A.I.R. 1960 Mad. 305.

50. A.I.R. 1962 S.C. 594.

51. *Ibid.*, at p. 600.

52. A.I.R. 1963, S.C. 1241.

53. *Ibid.*, at. p. 1255.

54. A.I.R. 1978 S.C. 68.

55. *Ibid.* at p.151.

56. *Ibid.* at p. 111.

57. A.I.R. 1977 S.C. 1361.

58. *Ibid.*, at p. 1382.

59. *Constitution of India*, Articles 200, 201, 254(2), 304 and 31(4)

60. M.C. Setalvad, *Union and State Relations Under Indian Constitution*, Eastern Law House, Calcutta, 1974, p. 77.

61. "During the 1956-65 period, out of about 70 Bills examined by the Institute, the Government of India has withheld assent only in 6 to 7 cases. In many cases, however, the action of the Central Government has varied from advising the states to make certain modifications in the bill, giving assent but imposing certain conditions, including a condition to obtain the approval of the central government in issuing modifications of the rules under the state's statute, to imposing certain conditions by the President before giving assent. On the whole the study reveals that the Centre does try to dictate its principles to the states in giving Presidential assent, though the fact that assent has actually been withheld only in a few cases seems to indicate that, so far, the process of Presidential assent has not acted as a substantial threat to autonomy of the State." S.N. Jain and Alice Jacob, "President's Assent to State Bills - A Case Study," *JILI*, January-march, 1970.

62. *Constitution of India*, Article 352.

63. *Ibid.*, Aticle 356.

64. *Ibid.*, Article 360.

65. *Ibid.*, Article 352(i)

66. *Ibid.*, Aticle 353(a).

67. *Ibid.*, Article 353(b).

68. *Ibid.*, Article 354(i).

69. *Ibid.*, Articles 358 and 359. However 21 of the Fundamental Rights shall not be made inoperative.

70. *State of Rajasthan* v. *Union of India*, A.I.R., 1977, S.C. 1361.

71. **Constitution of India**, Articles 256 and 257.
72. Ibid., Entry 22 of List I.
73. Ibid., Entry 2 of List II.
74. See for example: the National Highways Act 1956, Section 6; the Supply and Prices of Goods Act, 1950, Section 23; the Plantation Labour Act, 1951, Section 41 and of State Reorganisation Act 1956, Section 117. Many more examples can be collected from the Statute book.
75. Henry J. Abraham, **Freedom and the Court**, New York, Oxford Press, 1967, p.272.
76. Government of Tamil Nadu, Madras, **Report of the Centre—State Relations Inquiry Committee**, 22, 1971; Also see the Memorandum, supra, no.2, clause 7.
77. Presently, there is a strong internal disturbance in the state of Assam for the externment of the 'Foreign Nationals' (including the peole from other states of the country) showing recessionist activities in Assam.
78. For detail see **Constitution of India**, Articles 268 and 269.
79. See Articles 2 and 3 of **The Indian Constitution**.
80. See Article 162.
81. Manohar v. State, A.I.R., 1951, S.C. 315; **State of Bombay v. F.N. Balsara**, A.I.R., 1951, S.C. 318; **K.C.G. Narayan Deo v. State of Orissa**, A.I.R., 1953, S.C. 375; **Gujarat University v. Shri Krishna**, A.I.R., 1963, S.C. 703; **State of West Bengal v. Union of India**, A.I.R., 1963, S.C. 1241; **Harak Chand v. Union of India**, A.I.R., 1970, S.C. 1453; **Union of India v. H.S. Dhillon**, A.I.R., 1972, H.C. 1061 at 1068.
82. Paul Appleby, **Public Administration in India, Report of a Survey**, Government of India, Cabinet Secretariat, New Delhi, 1953, p. 22.
83. K.H. Bailey, **Summary Report of Proceedings – International Legal Conference**, New Delhi, 1953-54, p. 29.
84. **Constituent Assembly Debates**, VII, pp. 33-34.
85. **Constitution of India**, Articles 131, 249, 250, 253, 256, 257, 258, 258A, 262, 275, 286, 293, 301, 303, 312, 356, etc.
86. Ibid., Article 263.
87. For details of these Constitutional bodies, see Chandra Pal, **Co-operative Federalism in India**, p. 265-280, Kurukshetra University Ph.D. Dissertation, 1980.
88. See the **Report of the Study Team of the Administrative Reforms Commission in Centre–State Relations**, Vol. 1 1968, p. 300.
89. **Report of the Administrative Reforms Commission**, 1969, pp. 33-34.
90. Government of Tamil Nadu, Madras, **Report of the Centre–State Relations Inquiry Committee**, 1971, p. 24.
91. Similarly, there are so many other statutory bodies also which bring cooperation between the Centre and the States or between the States inter se. These are: University Grants Commission, Inter-State Transport Commission, Damodar Valley Corporation, Drugs Consultative Committee, etc. For the detailed working of these bodies, see Chandra Pal, supra, No. 87, pp. 285-334.
92. Similarly, there are also other non-statutory bodies working in the field of Centre–State relations, such as National Integration Council, Central Family Planning Council, Inter University Board, Central Control Boards for State-Projects, Central Water

and Power Commission, All India Council for Technical Education, etc.

93. Asok Chanda, **Federalism in India: A Study of Union-State Relations,** Allen and Unwin, London, 1965, p. 282.

94. **Government of India Resolution,** (Cabinet Secretariat), No. I-P (C) 50, dated March 15, 1950.

95. **Government of India Resolution,** (Cabinet Secretariat), No. 62/0/OF/50, dated August, 1952.

96. **The Interim Report of the Study Team of the Administrative Reforms Commission on the Machinery for Planning Commission,** 1967, p. 8.

97. "The New Federalism," **Hindustan Times,** August 5, 1977, p. 7.

98. See Articles 131, 141, 155, 246, 249, 252, 255, 257, 258, 258A, 261, 262, 275, 286, 292, 301, 302, 303, 356, etc.

Current Problems of Administrative Procedure Law :
The Case of the Federal Republic of Germany

WOLFGANG SCHMIDT-STRECKENBACH

EVER SINCE 1871--when the political association of previously sovereign German states assumed the form of a federation, subsequently known as 'German Reich'--until the present day (except from 1933-1945), the national structure of Germany has been characterised by a federal constitution. In compliance with federalist principle governing the state system of the Federal Republic of Germany (as that of the Indian Union), the constituent federal Laender with territories as well as legislative and executive bodies of their own, continue to maintain the form of constitutional entities, acting below Federation level.

The ensuing division into various government and administration levels and units, whose constitutionally assigned rights and duties in the sense of competences are coordinated according to the federalist principle of distribution of powers, gave rise to a number of administrative problems, particularly at Laender level. Laender authorities, in addition to executing federal laws, are responsible for the execution of all laws pertaining to matters of their own concern. Since in many cases, the procedural regulations governing the execution of federal laws differ from those to be applied to Laender laws, the executive Laender organs are often compelled to base their decisions in non-uniform legal procedures.

Only in recent years, efforts undertaken in the Federal Republic of Germany to provide for the legal codification of a uniformly valid administrative procedure law--applicable to both the Federation and the Laender--have been crowned with success. However, the process of coordinating the pertinent legal provisions has as yet

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not come to an end. In the following paras, an attempt shall be made
to examine in greater detail the background, development and scope
of relevant endeavours to generalise administrative procedure law.

The codification of procedural rules, guiding and determining
administrative action, has been envisaged by German administrative
theoreticians as early as the 18th and 19th centuries. To be
mentioned in this context are Gottlob von Justi and Lorenz von
Stein; the latter once fittingly described the administration as the
'working state'. However, in the last analysis, the working state,
understood as an organised power, which is generated by multiple
elements engendering uniform effects, is bound to achieve no more
but the conciliation between the interests of the individual and
those of the community as a whole.

The lines of thought adhered to by these theoreticians were
substantiated in the laws on administrative procedure, promulgated
by the Laender Prussia and Baden as constituent parts of the German
Reich towards the end of the 19th century. The general 1883 "Legal
Code of Prussia", which laid down the regulations to govern admini-
strative procedures, including litigation procedures, was subse-
quently adopted throughout the major part of the German Reich.
However, comparable drafts, elaborated by various other Laender of
the German Reich or the Weimar Republic, respectively, failed to be
legalised by 1933.

Following the end of World War II, and under the sovereignty of
the Allied Occupational Forces, measures aimed at reorganising the
public administration sector were initiated first at local and later
at Laender level. Again, various federal Laender contributed to-
wards improving administrative procedures by enacting relevant laws.
Whereas, in so doing, some Laender restricted themselves to provid-
ing procedural regulations as such, others included specified
regulations pertaining to administrative organisation, preliminary
administrative court proceedings, and administrative execution in
their law-giving activities.

All of these procedural regulations were binding on the Laender
authorities only insofar as they concerned the laws of the respec-
tive Land. If it came to the execution of federal laws, the Laender
authorities were compelled to draw on additional procedural regula-
tions which were annexed to each special law in addition to material
regulations. Moreover, the administrative authorities had to
consider a host of details deriving from jurisdiction and the wide
range of unwritten legal principles.

All these factors combined to foster a distinctly heterogeneous
development of procedure law, with the result that a public official
had to base his decisions on largely differing legal procedures.

The situation, which proved to be highly unsatisfactory for both the administration concerned and the citizen as the addressee of administrative action, urgently called for the restructuralisation of the complex and intricate subject-matter. `

As early as in 1957, a Commission established by the Federal Ministry of the Interior, had stressed the expediency of codified procedure law. After the subject had sparked off a lively discussion in jurist circles, too, the Federation and the Laender decided to jointly prepare a bill on the regulation of administrative procedure law, which was to be adopted at federal level by the Federal Parliament and at Laender level by the relevant Laender Parliaments. In March 1964, the final draft was presented to the interested public; pursuant to the consideration and incorporation of the critical comments from science and practice, the draft was submitted to the Federal Parliament in 1970 as a legal initiative of the Federal Government. Owing to the expiration of its 6th session (1969-1972), the Parliament was unable to finalise the bill; it was thus presented again (though in a modified version) by the Federal Government. After first reading, it was transferred to the Internal and the Legal Committees of the Federal Parliament for further disposition.

From 1973 to 1975, the two committees were engaged in elaborating the bill. In so doing, they were obliged to devote special attention to the objections and suggestions made by the Federal Council (Bundesrat), i.e., an organ, assuming partly the function of the 'Upper House' at federal level and representing the interests of the Laender. From the statements made by the Internal committee vis-a-vis the Parliament, in conclusion of the parliamentary debate, it became evident that two, partly divergent objectives had to be harmonised, namely,

- to safeguard the citizen's right to an administrative procedure based on the principles of a constitutional state, and
- to ensure the functional efficiency of the administration.

Considering these two premises, a compromise was reached to the effect that the strict formality of the administrative procedure was to be abandoned, particularly in view of the fact that each decision could be made the subject of an a posteriori control by the independent administrative course. In January 1976, the law was unanimously approved by the Federal Parliament and promulgated in the Federal Law Gazette in May 1976; it was enforced on January 1, 1977.

The intent and purpose underlying the procedural regulation of administrative action were such as to ensure that the legal administrative procedure, although complying with the constitutional demand for lawfulness, nevertheless remained practicable for the implementing authority and, at the same time, surveyable and easy to check for the citizen concerned.

Accordingly, the reasons advocating a practicable regulation of the administrative procedure are indeed political in nature: only by way of a well-organised and efficient administration, acting on the basis of uniformity, can the state will be transferred into practice. This is all the more true in a highly developed industrial state, being characterised by differentiated social relations and the complex decision-making linkages connecting various levels and units of the politico-administrative system with their social environments.

In the Federal Republic of Germany, the conciliation of interests is tied to specific postulates, many of which are constitutionally anchored, i.e.,

- the principle determining that the executive shall be bound by law and justice,
- the right to take legal action against the executive's decisions, and
- the principle of the commensurability of means.

Since the provisions of the Basic Law are not merely to be understood in a declaratory sense but present the law actually in force, no additional legal provisions were required for the principles governing administrative action to take effect. It is, however, in the interest of both administration and citizenry that the provisions regulating the administrative procedure be substantiated in a clear and largely accessible law, just as it is in the interest of the Federation and its constituent Laender to rely on a uniform law; particularly the Laender, in their capacity of members of a federalist system, take interest in a uniform administrative procedure law, enabling their authorities to implement federal and Laender laws on a uniform legal basis. The same applies to the administration: a uniformly applied administrative procedure law is bound to foster the rational and economic operation of the administrative apparatus and thus to simplify, and increase the efficiency, of its work. Moreover, such a law, in addition to being of benefit with a view to generalising the work processes at all administration levels, is apt to promote, especially in a federalist national

structure, the homogenisation of the administration, including the training standards of its junior staff.

As far as the judiciary is concerned, the law, by establishing a homogeneous basis for assessment of administrative decisions, also fosters development of juridical regulations. For the citizen – whose right to constitutionally anchored procedural guarantees has been aspired to as one of the objectives of the above mentioned bill--the codification of the administrative procedure law, which provides for clarification and surveyability of administrative action, definitely means strengthening of his legal position.

Considering lack of surveyability and coherence which character-ised the legal norms and in view of the multitude of unwritten, legal principles to be observed in administrative work, the plans initially conceived were in favour of immediately effecting the generalisation of administrative procedure law. However, in the course of its deliberations, the Internal Committee realised that the complex task of providing for the overall validity of the law was not to be achieved in the first attempt. Equally speaking against the initial plan was, firstly, the fact that the host of procedural regulations annexed to the federal laws and Laender laws could not simply be abolished by introducing a new law, and, second-ly, that the above mentioned deliberations coincided with the parliamentary debate over the amendment of the procedural regula-tions for the overall fiscal administration sector.

Thus, a compromise had to be reached with regard to the area in which the new law would be valid and applicable and in which due account would be taken of the current legal situation. However, a certain degree of generalisation was nevertheless achieved insofar as the rules laid down in the administrative procedure law and in the Tax Code were coordinated and integrated into the bills by an inter-ministerial committee. Since a number of procedural regula-tions, contained in various special laws, were supposed to retain their validity, it was essential that the generalising effect produced by the new law was brought about successively.

This approach departed from the premise that the Federal Laender, in line with the decisions arrived at by the "Permanent Assembly of the Ministers of the Interior of the Federal Laender" in 1976, would enact essentially uniform procedural statutes of their own. This law-giving process was concluded with the law enacted by the Laender Hamburg in 1977. The second premise was that the Federation and Laender in enacting new laws would refrain from taking any isolated action with regard to procedural regulations.

Accordingly, the Federal Parliament, pursuant to the promulgation of the law in January 1976, simultaneously had requested the Federal

Government to make sure that the generalisation of administrative procedure law would be accomplished by January 1, 1984, i.e., within eight years after its enforcement. Furthermore, the Federal Government was asked to submit to Parliament by January 1, 1982 its first report specifying the results achieved and the measures envisaged in order to establish a uniform procedural law.

II

Prior to analysing the new administrative procedure law, a systematic survey will be undertaken of its position within the entire range of potential administrative activities. Towards this end, some aspects, e.g., the efforts undertaken to accomplish the task at hand, the number of persons involved in the procedure and the methods of implementation, may serve as potential points of reference in undertaking a systematic approach.

In their well-known manual on administrative law, Wolff/Bachof differentiate the procedures according to the various forms of administrative action (with their differentiation being drawn on in this article. They start out by analysing the individual procedures preparing the administration-internal decisions; these comprise all intra and inter-administrative procedures, e.g., the coordination procedures between the various departments of an authority (joint underwriting), as well as the internal organisation and budgeting procedures. To be added are the linkages - often assuming a coordinating function - between various authorities and the procedures applied by authorities in charge of supervising subordinate organs. This complex of intra-administrative procedures is not subject to administrative procedure law.

The second essential field of administrative action concerns the procedures preparing the decisions that have an administration-external effect. These comprise the constitutional right of the executive to establish norms and those procedures which, within the classical state-citizen relationship, lead to the provision of specific rules in the fields of public and private law.

The norms established by the executive comprise ordinances having legal force to implement various statutes and bye-laws pertaining to the local sector.

According to the Constitution, the Federal Government, Federal ministers and Laender Governments are entitled to issue ordinances for execution of statutory laws, provided they are explicitly and legally authorised to do so; the extent to which they may avail themselves of this right is likewise stipulated by law. Furthermore, the communes, within their legal framework, enjoy consti-

tutional right of self-government in all matters concerning the local community.   The vehicle of local self-government is the quasi-normative Local Authorities Code, regulating in particular those fiscal matters which have a binding effect on the citizens.

As in the case of intra-administrative procedures, the complex of norm-establishing procedure is not affected by Administrative Procedure Law.   The remaining are the procedures that lead to provision of specific regulations.   It is in this field that the authority acts either on the basis of private law (fiscal admini-stration activity) or on the basis of public law(official activity), in which case its action has an external effect.

Vide Para 1, the Administrative Procedure Law restricts itself exclusively to administrative actions governed by public law, excluding from the start the multiple forms of fiscal administration (commerce, procurement and other forms of contractual relations governed by private law).

In Para 2, the law once again excludes from its area of validity a number of important issues falling under public law.   Particular mention should be made in this connection of the fiscal procedures adopted by Federal and Laender authorities and regulated on the basis of the Tax Code, and those procedures governing social and welfare legislation.   This legal complex, including, e.g., national assistance, rental benefits, youth welfare, etc., is currently being codified for reasons of uniformity and integrated into a social law code; relevant administrative procedures are specified in volume 10 of the code.

The area of validity of the law is further confined by a subsi-diarity clause in para 1. Whereas the initial bill departed from the assumption of overall validity, the final law governs the administrative activities of Federal authorities and those at lower administration levels only as long as the federal legal provisions do not provide for identical or opposing regulations.

From this it follows that the Administrative Procedure Law is to be considered as a subsidiary law only, implying that an administra-tive official, prior to taking action, must start after examining not only the statutes pertaining to the case under review but also relevant ordinances relating to procedural rules involved.

Closely connected with the subsidiarity clause is the restriction imposed by the clause regarding its area of application, i.e., the so-called "issue of federal application", or the question as to what extent the rules laid down in the federal procedure act shall be binding on the Laender executing federal laws. Since the initial concept, according to which the federal procedure act was to be executed only by federal authorities just as the respective Laender

laws were the concern of Laender authorities, could not be put into practice, the latter had to adopt a differentiated mode of application following the enactment of the law, depending on whether they were concerned with the execution of federal law as agents of the Federation, or with matters of their own concern. As set out in para 1, III, the law should be binding on the executive Laender organs only insofar as the activities of public administration organs were not regulated by relevant laws of their own. Since all federal Laender have, in the meantime, passed such a law, the issue is of only secondary importance, considering wider conformity of Laender laws with the administrative procedure act of the federation.

Our systematic approach towards identifying the area of validity of Administrative Procedure Law has shown that the law is confined to those areas in which public administration decisions cause an external effect, with relevant legal spheres being a priori excluded.

We are thus concerned here with a partical codification of procedure law. However, even within this narrow scope, the law cannot be applied to all administrative activities. Para 9 of the law provides a clear definition of its area of validity by stipulating that a procedure in the legal sense of the term is to be understood as:

> externally-effective action of the authority serving the investigation of the premises as well as preparation and issuance of an administrative act, or conclusion of a public-law contract.

From this follows that the actual area of validity of the law seems to be fairly restricted. However, this statement needs to be modified to a certain extent. The law provides, indeed for the first time, for a systematic generalisation with regard to its two focal parts, namely, the administrative act and the administrative legal contract, both of which represent the most important types of administrative decision-making. In both cases, the law not only systematises the procedural steps leading to the final decision, but also exerts a structuralising influence on the preliminary decision-making phase (including externally-effective activities such as witness summons, hearing of parties concerned), i.e., on the entire decision-making sequence comprising the process of internal opinion-building, etc. It was by way of this law, that an era of unwritten legal principles, in vogue for more than a century, was brought to an end.

In addition to clearly defining its area of validity, the law, by stressing a procedural line of thought, is constructive in that it brings the procedural steps of administrative decision-making to the fore and refrains from establishing any special regulations in the interest of subsequent legislation. Considering this effect, the contrast between direct validity and subsidiarity is but of minor importance.

The law, which is surveyable in terms of structure, is subdivided into the following parts:

Part I (SS 1-8) regulates a number of issues that are of importance in the preliminary stages of the procedure, including:

regulation of the area of application,
local competence of the authorities, and
inter-administrative assistance.

Part II provides a comprehensive survey of the administrative procedures and codifies the procedure law proper.

Section 1 (SS 9-30) deals with general procedural principles, regarding:

group of persons involved in the procedure,
representation in the so-called 'mass administrative procedures',
impartial conduct of office and principle of investigation, and
initiation of the procedure, obligation of the authorities to provide advice and information, and right of access to the files.

Section 2 lays down the regulation of deadlines and codifies the legal principle of reinstatement to original conditions.

Part III codifies in three sections the essential type of decision-making: the administrative act, by which the procedure is always concluded. In this part, the law clearly defines the administrative act, the generally binding ordinance, and the issue of notification. Further, it regulates the issue of nullity as well as the conversion of an incorrect administrative act and repeal of an illegal act.

Part IV (SS 54-62) regulates the public-law contract.

Part V regulates the specific methods of procedure.

Section 1 (SS 63-71) contains a model of a formal procedure applicable to administrative decision-making if a special formal treatment is required (e.g., expropriation procedure). The procedure regulated in these paragraphs must be declared applicable by the pertinent laws.

Section 2 (SS 72-78) provides for a model regulation concerning the so-called 'plan approval' procedure, which, as a formal regulation, must precede in particular any projects connected with the construction of traffic roads; providing for possibility of the people to participate and raise objection. This procedure has increasingly provoked public interest during the past few years.

Part VI (SS 79,80) regulates the procedure in cases where objections are raised against administrative decisions, but refers in principle to the 1960 Administrative Judicial Code with its comprehensive and systematised codification of the administrative court proceedings.

Part VII regulates in two sections the issues of honorary activities and the increasing participation of various bodies, e.g., committees, advisory councils, etc., in the administrative procedure.

III

Summarising the statements made in the preceding section, we may say that the legal scope of the administrative procedure is to:

safeguard constitutional guarantees in the execution of law,
foster the authorities' capability of taking rational, materially sound, and correct decisions, and
provide for orderly participation of those involved in the preparation of administrative decision-making process.

Considering these objectives, the law must regulate in particular three fundamental issues of a procedure namely:

who shall take part in the procedure,

which procedural steps need to be taken, and
which rules must be observed by those involved in the procedure.

In the interest of a flexible and fast decision-making process,
the administrative authorities - in contrast to the formal proceed-
ings of the administrative courts - are basically inclined to
proceed along informal lines. In para 63, the Administrative
Procedure Law stipulates that the provisions governing the formal
administrative procedure should apply only in cases specifically
prescribed by the special law, underlying the decision. Special
laws are those which pertain to specified policy areas, e.g.,
planning, motorways, immission control, and nuclear energy. In view
of the fact that the formal procedure presupposes a legal hearing
and that the people concerned are increasingly taking interest in
the afore-mentioned policy areas and wish to participate in the
official plan approval procedures, the authorities are faced with an
ever-growing number of procedural problems. As some of these prove
to be points of major interest in current scientific discussion, we
will discuss these in the following paras.

In principle, the status of citizens' participation in an admini-
strative procedure is defined by law. In this context, a partici-
pant may be either the applicant in instances in which the
authority, pursuant to an application, must take action on the basis
of the pertinent law, or a person being the addressee of an admini-
strative act, executed or to be executed by the authority, or a
person with whom the authority intends to conclude, or has
concluded, a legal contract. In recent years, the informal partici-
pation of expert groups, especially in the areas of environmental
and nature protection, has increasingly been officially accepted.

However, there is a decisive difference with a view to the
restricted circle of citizens, participating in a 'normal' adminis-
trative procedure and those taking part in the procedures prescribed
by special laws. According to the approval procedures laid down by
the 1974 Federal Immission Control Act and the 1976 Federal Law on
Nuclear energy, every person is entitled to raise objections, this
being in contrast to the stipulations of the 1974 Federal Law on
motorways, according to which only those persons directly affected
by the project may protest. While the law calls for a formal
administrative procedure, particularly a public hearing, the legis-
lator makes provision for the so-called 'mass' administrative
procedure. The fact that there was an urgent need for such a
regulation was confirmed as early as in 1979, when a licensing
procedure, instituted in the Land Baden-Wurttemberg in connection
with the extension of an oil refinery, provoked the protest of

approximately 34,000 citizens, and another approval procedure
concerning the location of a nuclear power plant was opposed by
approximately 64,000 citizens. It would certainly be asking too
much, if the administrative organs had to hear every single person
involved in such a procedure. For this reason, the authorities,
rather than informing the public by way of summons and written
notification, can publish in gazettes and newspapers such cases
where the number of persons to be informed exceeds 300. This is of
particular relevance to the formal plan approval procedures connec-
ted with traffic zones. However - as has frequently been emphasised
in recent scientific debates - the problems involved in 'mass'
administrative procedures could be solved only to a limited extent.

In line with the principle governing the administrative
procedure, the authority officially investigating the facts has the
right to determine both the type and scope of its investigations.
Although not being bound by the statements and evidence submitted,
the authorities must nevertheless duly consider all facts that might
be of relevance to the individual case, including those speaking in
favour of the persons involved. All witnesses summoned to take part
in the formal procedure are obliged to submit evidence, just as the
experts are obliged to submit their expert opinion.

Experience has shown that the complex licensing procedures,
especially in the areas of environmental protection and nuclear
energy, call for specialised expert knowledge which, in most cases,
the authorities do not possess. The legislator, prescribing legal
requirements and the scope of investigations preceding the final
decisions in such cases, must often have recourse to rather vague
legal terms such as "in compliance with the current state of science
and technology". If it comes to interpretation and overall control
of such terms by the administrative courts, the authorities must
often recognise the fact that, although they may have heard several
experts on the case at hand, the expert view submitted may vary
considerably, more so in cases where politically controversial
issues are involved. Accordingly, the material and legal criteria
underlying the authorities' final decisions often turn out to be
rather unreliable. In this respect, the administrative procedure
law, currently in force, is as yet unable to assume a comprehensive
'steering' function with a view to administrative action.

In the Federal Republic of Germany, the traditional 'steering' of
administrative action by virtue of established law has increasingly
been extended in the past decade to comprise a new type of action,
i.e., sophisticated planning activities in nearly all policy areas.
Keywords, such as regional planning, physical planning, and medium-
term financial planning are characterising the large variety of

current national tasks, and those planned for the future.

A typical legal instrument employed to arrive at an administrative decision taking the form of an administrative act, is the so-called formal plan approval procedure mentioned above. Its objective is to investigate and decide on area-specific and area-reclaiming projects, with due regard to the legal interests of the respective entrepreneur (or the person legally responsible) and those of the community and the citizens involved.

A good example in this respect is a new railway line currently being planned in order to connect two cities in Southern Germany. The project affects both public interests (clearing of forest areas, reconstruction of federal motorways, state roads and local roads) and private interests (reclamation of or potential damages to private or leased property). The complexity of the consequences involved in the very size of such projects shall be complied with in the special formal procedure.

The construction plan, i.e., its drafts and legend, specifying the estates and facilities affected by the project must be publicly laid out in the communes for the duration of one month, a procedure which has to be announced previously. Up to a period of two weeks after the expiry of the period of time indicated, every citizen concerned is entitled to submit his objections in writing for ensuing discussion in a formally convened hearing. Its results are then submitted to the authorities for comment.

The trend towards the welfare state – granting each individual the righ to benefits, such as social welfare and rental allowances – has led to a considerable increase in recurring decisions, which the authorities are able to manage only by way of data processing. Electronically printed forms are an accepted means of conveying official notice relating to annuity insurance, tax administration, rental benefits, and public utilities.

However, despite the fact that administrative acts are delivered in computerised form, they must nevertheless be so concise and unambiguous as to enable the citizen to fully comprehend the decision both in terms of contents and substantiation and to the extent required to safeguard his rights in the procedure. In order to prevent personal data compiled by the public administration by way of EDP from being misused, Data Protection Laws were enacted in the Federation and in the Laender.

IV

In conclusion of the above statements and in order to assess the ongoing political development in the Federal Republic of Germany, it

will be appropriate to refer once again to the enactment of the Administrative Procedure Law by the Federal Parliament in 1976. The law was unanimously approved and passed towards the end of the 7th session. The issue of subsidiarity regulated in Para. 1 in the course of long discussions held in the Internal Committee was viewed as a first step towards rationalising and generalising the law.

This view was shared by all parties. As was pointed out by the then Federal Minister of the Interior in the parliamentary debate, the final success of the law "would decisively depend upon its horizontal and vertical impact". Its objectives, namely, are:

a fast and unimpeded administrative procedure,
the surveyability of procedural rules for both administration and citizens,
cutting down cost, and
the improving standard of training of administrative personnel.

These could be achieved only if the law was declared valid for as many administrative branches and levels as possible. Accordingly, the central issue of the law was its range of applicability.

Towards this end, the Federal Parliament, in 1976, once again decided unanimously that the law should be supplemented by a resolution, requesting the Federal Government to take measures for the "aspired generalisation of administrative procedure law to become effective within eight years' time after its enforcement". A comprehensive revision of the law in force was supposed to be concluded by January 1, 1984. Furthermore, the Federal Government was requested "to submit by January 1, 1982 its first report on the results achieved and on subsequent plans to initiate a uniform administrative procedure law".

Evidently, the time span granted to the Federal Government in this connection had been too short. In January 1982, the Federal Minister of the Interior had to inform the President of the Parliament that, owing to a lack of personnel, the preparatory work involved in the revision of the law had not yet been concluded. Accordingly, the project had to be set aside until the end of the term in 1984. However, the urgent need for initiating a generalised codification of Administrative Procedure Law nevertheless remains undisputed.

In justifying the delay in the submission of the report, the Minister of the Interior underlined the enormous complexity of the legal revision process, comprising as it did the examination of the entire complex of formal and material public law. This fact, in conjunction with the scarcity of personnel due to budgetary

restraints and the simultaneous increase in the volume of tasks, explained the delay of the project.

Every effort had nevertheless been made since 1976 to ensure that the coherence of the Administrative Procedure Law was not affected by subsequent amendments. At least in this respect it had been possible to achieve an ever-increasing coordination. This was especially true with regard to new laws and regulations: particularly volume 10 of the Social Code was coordinated in large parts with current administrative procedure law (similar to the Tax Code in fiscal administration).

In order to achieve, within the shortest possible time, the overall generalisation of the procedural regulations provided for in the federal law in force, the ministry had to take recourse to external staff capacities. Thus, the Research Institute for Public Administration at the Post-Graduate School of Administrative Sciences, speyer was commissioned to assume some of the preparatory tasks involved in the elaboration of an inventory and the generalisation of pertinent legal regulations.

Departing from this basis, the Federal Government, in May 1984, was able to submit to the Parliament a draft of the First Law on the Revision of Administrative Procedure Law. This drat is currently being disscused by the competent parliamentary committees.

NOTE

Reforms in the Collectorate of Ahmadnagar (Maharashtra)-A Report

ANIL KUMAR LAKHINA

THE REPORT contains a novel exercise of administrative reforms – carried out recently by the author, himself functioning as Collector--in the District Collectorate to make it more efficient and people-oriented.

Drawing some leaves of experience of improvements attempted in Satara District, the broad premises of effecting reforms in Ahmednagar District were: (1) Regulation of clerk-public contact; (2) Demystification of office procedures and accessibility of documents both to the staff and to the public; and (3) Better working conditions and creation of efficient environments.

INTRODUCTION

With the advent of Indian Republic, the objectives of District Administration suiting the needs of the colonial power were changed to discharge functions relating to development of the country and service of the common man which became concerns of national importance. But it is ironical to note that the citizen does not have a very pleasant impression about the existing government machinery. He does not see or feel that the government apparatus is actually serious about common service nor does he find any radical departure from the British administrative structure, its ethos and system of operation. To him, the village talathi, the District Collector and the State Minister continue to be manifestations of authority. He is still being 'ordered', 'directed' or 'instructed' in official communications.

While the procedures continue to command, the objectives ask for service. This contradiction is responsible for many behavioural ills. The 'courtesy weeks' have become sterile and dispensable. Inordinate delays, unhelpful attitude of officials, favouritism, nepotism, corruption, inefficiency in grievance redressal, lack of information on procedural details are some of the reasons of public disgust. Common belief is that either influence or bribe produces

results. This has resulted in creating a very negative image of administration in the minds of people. They have become indifferent, cynical and alienated. Some have become more adamant, adopting at times a boisterous and recalcitrant approach replete with morchas, dharnas, fasts, etc. Some manage with the help of common friends, touts, contacts, political and social underlings. A feeling of helplessness that seems to be there in common man probably arises from the inadequacy of inherited administrative model. There is thus a need for a new model which must recognise the rise of assertive political parties and leaders, higher education, consciousness of people, increased communication facilities, excessive State involvement in the regulation of public life and the decreasing awe and effectiveness of the government.

In this perspective, an experiment in orienting administration more towards common man has been made in the Collectorate of Ahmadnagar, Maharashtra. The purpose was to improve the responsiveness of the government to the requests and needs of members of public, thereby dispelling, or at least, beginning to counteract the negative image of the state which has grown in recent years. The experiment aims at replacement of or materially altering the prevalent practices in office-public dealings with the accompanying syndrome of hostility and mutual suspicion, with a more positive and satisfying pattern of interaction.

The broad premises of the exercise were: (1) Regulation of clerk-public contact; (2) Demystification of office procedures and accessibility of documents both to the staff and to the public; and (3) Better working conditions and creation of efficient environments.

REGULATION OF CLERK-PUBLIC CONTACT

The variety and number of tasks entrusted to both the clerks and the officers in district level Revenue Administration is pretty huge and wide. Large number of Acts and appended Rules have to be complied with. The resettlement of project affected persons, the implementation of twenty-point programme, the construction of huts, managing land records, collection of various taxes, family planning programme, implementation of cinematographic Act, and Sanjay Gandhi Yojana are to quote some of the items of the heterogeneous mix. Add to it, the management of disasters, natural calamities, droughts, law and order problems, industrial unrest, etc.

"Unlike private business, the theory of inputs and outputs is again not the determining factor in a Government Department." The administrative organisation of government is not necessarily based on relating the specific output of work to a specific input of

government personnel. An ongoing government organisation is continuously called upon to undertake new and diverse activities, sometimes with inadequate staff and sometimes without any additional staff whatsoever. For example, no additional staff is appointed to deal with the work of enforcement of minimum agricultural wages, abolition of agriculture indebtedness, construction of huts for landless labourers, etc. Each of these programmes involves substantial additional work but is discharged through existing personnel.

As the arena of control of government machinery and its developmental activities is increasing every day, the visitors come in large numbers to get their work done. Too often they encounter chaotic conditions. The get-up of the office does not suggest that his work could be done without help. Normally, a visitor does not come alone. He does not feel secure in the government office. He sees many visitors like him, standing or sitting in corners waiting for their turn to be heard. Numerous files, papers, peons, clerks, officers, incoming and outgoing vehicles, advocates walking up and down in office corridors, ringing of office bells, noise of crockery and many more such factors put up a very confusing and hostile picture to him. The disorder, confusion and complexity so ensuing in the environment gives him a feeling of powerlessness.

The scene at the clerk's desk is more disturbing. One can see a number of villagers standing near the table. The clerk's table, usually biggish in size shows a number of files under the table, on it and also on a shelf fixed on the wall. The files, registers, papers are generally kept in haphazard way. It is difficult to believe that any other clerk could search a file and send to the officer concerned. He looks indispensable in the given situation. Whenever the VIPs come to the boss, the dealing clerk has to be called and told to do a particular thing 'first' or 'on priority' or 'urgently'. It robs the common visitors of the clerk's time. He appreciates the presence of VIP who claims the wholesale attention of the clerk but feels cheated. Scarcity of clerk's available time to ordinary visitors, badly kept records, and overall dependence on clerical ranks by officers make one thing clear to the ordinary visitor – that he must be polite to the dealing clerk and should 'manage' him to get work pushed up. Clerk to him remains the deciding factor. The ordinary visitor meets all levels of administration – the dealing clerk, the supervisor, the Deputy Collector and if necessary Collector, requesting them to get his work done expeditiously. Such visitors normally get tossed around, wait for hours and get evasive replies. Anyday turns to be wrong day and he has to come back on the advice, "come tomorrow or better still next week". Ordinary visitors are the most affected and most ignored

class.

Too much of clerk-public contact and bad utilisation of floor space lead to congestion. The clerks sit in crowded and dingy surroundings facing each other, facilitating gossip sessions. The unnecessary and odd sized tables, space gobbling almirahs and racks, unclean accommodation for visitors, cooped up cabins effectively isolating the 'higher ups' from the 'lower downs' present a frustrating picture. In fact, officers, at times, encourage the visitors to meet the particular clerk and get the papers prepared for final signatures. Such visitors disturb the normal functioning of the clerk.

The following two steps have been taken to regulate and limit the clerk-public contact to come out of the alley of confusion and disorder in the office, viz.: (a) categorisation of visitors as per their social importance and their needs, and (b) designing the office as per the task sequence.

Categorisation of Visitors

Three types of visitors come to an office like that of Collectorate, viz.:

(i)   Elected representatives, e.g., MLAs, MPs, MLCs, Chairmen of various rich co-operative units, political party leaders, etc.

(ii) Influential members of business community, politicians of taluka importance, friends and colleagues of the senior officers or non-officials, ex-MLAs, etc.

(iii) Sarpanchas, Members of Panchayat Samitis, students, employees, citizens and villagers, etc.

The list by no means is exhaustive nor final. The importance of visitor may change as per his stock and standing in public life. Interestingly, maximum number of visitors come from category (iii) and minimum number from category (i). But the time allotment is maximum for category (i) and least for the third one. Important visitors are given all the respect that protocol demands, e.g., exclusive attention, cups of tea, discussions on items which are not directly related with the purpose of the visits. Ordinary visitors wait outside hoping to be called. As the dealing clerk also gets busy with the important visitor, no option is left but to keep waiting.

Let us understand why an MLA or a Chairman of a Panchayat Samiti comes to the Collectorate. He normally comes for pursuing: (a) a development project, or (b) to use his supporters, or (c) to lead

morchas to press his views on a particular subject. The MLAs of opposition parties may lead delegations to register their protest over a particular government policy, and (d) to point out to the Collector, some of the unattended/pending matters or grievances. They normally succeed in getting exclusive attention of the Collectorate. It is imperative that their jobs be done faster or followed up effectively. Registers have been opened to enter their specific applications or requests. The MLAs/Chairmen are kept informed about the office actions. It is experienced that there are some pet subjects and consistent insistence to attend them. Weekly reviews by Collector or incharge Deputy Collector ensures action or awareness of the progress in correspondence. It gives satisfaction to the elected representatives that they have a niche in the office machinery and are not neglected.

Business community has a different approach. The dealings are financial. They meet selected clerks and officers. It may sound abusive but the presumption is that cuts and percentages are agreed upon. Exceptions to the general understanding notwithstanding, the businessmen are ever prepared for this methodology. Otherwise, they fear that their papers would get stuck. They manage their way through, unless there are specific reasons to hold their papers. They normally come to check the progress of the movement of files. They do not hang around for a very long time. Of course, smaller contractors need payments faster to sustain their work. The contact is direct and mostly personal with the dealing clerk, accountant and officers. Nothing much has been done in this area except introduction of weekly reviews about the clearance of bills. This issue, however, needs further attention.

The third category, i.e., the lower rungs of public need the maximum importance. The ordinary visitors are the most disciplined. Yet most are misinformed about the functioning styles of the office. Their quest for justice begins with their grievances properly written by the 'arzinavis'. The writing may cost Rs. 2 to Rs. 3 per application besides the time and transport charges. These visitors dutifully affix stamps worth 65 paise on each of the written application. This stamp is the official cost and makes them legally eligible to be heard. The senior politicians and business community do not affix any stamps on their applications, but are given better attention. The peons normally act big on the common villagers but would open all doors to let the businessmen or VIPs in. The villagers have neither the knowledge nor the resources to come after securing an appointment. They keep waiting to get a chance to be heard by the concerned official. Their grievances relate to: (a) land records and their upkeep; (b) encroachments on land, right of

way; (c) revenue magisterial, resettlement, land acquisition, supply, employment, recovery and coordination matters; (d) grant of land and conversion of its use; (e) irrigation rights; (f) renewal and grant of licences of various types; (g) registration of documents; (h) collection of birth, succession, attestation certificates; (i) police protection or excesses, expeditious enquiries or police help; and (j) complaints against the functioning or functionaries of other departments, etc.

Task Sequence

In pursuance of the above, a number of work-studies were conducted with the needs of common visitor in mind to suggest proper task sequences. They are based on how a common visitor approaches government office to get his work done.

As clerks have been requested to sit in straight rows in such a way that each faced the back of the other. Uniformity in furniture arrangements has been introduced. Between the rows of working tables, coir mattings have been spread to get clean passages. No extra chairs are provided to the clerks for visitors. There is no scope for the visitors to sit near the clerk and disturb him. Special enclosures having glass pane windows have been provided to the supervising officers. These windows are kept at such a height that the supervising staff can keep visual control and supervise his staff while working himself.

Visitors have been provided special reception enclosures. They can watch through these enclosures, the activity in office cabins and clerical sections. The visitor is encouraged to meet the concerned officer who in turn solves his problem or difficulty. This arrangement has eliminated queues and crowding in clerical sections and has given respectability to visitors who used to hang around outside working arena waiting to be called.

Another way of regulating the clerk-public contact has been the introduction of the counter system. The renewal of licences, issue of certificates, enquiries regarding police patils and fair price shops, etc., need contact windows. The concept and task sequence has been borrowed from the banks. Tokens are issued to the visitors afer receiving the applications. The token gives a value to the time available to the visitor. It also puts a sense of urgency in the office section to complete the formalities and collect the token back. In case the papers of the visitor need something to be supplemented, his application is returned with objections. These objections are printed on the leaflet which contains the routine mistakes committed by the visitors (Ref.: return cheque slip in banks). The visitors have all the opportunity to know the weaknes-

ses in the procedural requirements. He gives all the information to
the right clerk and collects his renewed licences or documents for
which he made the application. Because of the counter approach,
many desks have become efficient. Of course, there are exceptions
when the papers get delayed as the formalities have to be completed
by another department.

The placement of clerks is as per their relationships. The files
must move in straight lines leaving no scope for waste of time.
They move from desk to desk sequence and ultimately to the officer.

Typist $\rightleftarrows$ Jr. Clerk $\rightleftarrows$ Sr. Clerk $\rightleftarrows$ Dy. Chitnis

DEMYSTIFICATION OF PROCEDURES AND EASY ACCESSIBILITY OF DOCUMENTS

Most of the visitors take procedural formalities as necessary
hindrances. They do not have any detailed knowledge as to how the
office functions. No bureaucratic system can be sans procedures.
They help in doing the work in a defined and impartial way.
Unfortunately, many procedures still smack of colonial heritage and
are based on the assumption that the interest of the government is
paramount and should be guarded against dishonesty from within and
without. It is necessary to be honest but to presume that all
levels are dishonest is far fetched. The system as it exists today
is procedurally complicated. There is a terrible reliance on
written orders and keeping record of every detail (right from the
purpose of telephone call made, to the number of railway tickets
bought to claim home travel concession).

It is not unusual to find the clerks writing memorandum to each
other on slightest provocation. The commandment to 'put it in
writing' applies to even most trivial things and is literally
obeyed. Yet these intricate checks have not prevented dishonest
clerks from committing defaults. Honest clerks do the extra work
required and the dishonest ones always seem to circumvent the
system. Checks and double checks become too ritualistic to make the
working simple.

It would be deviating in case the analysis of procedures of
various activities is undertaken in this paper. Changes in the
office procedures are necessary and have to be studied in the
Secretariat for uniform application in all field officers. All
these procedures are normally listed in the manuals which are public
documents, but the common citizen still does not know or understand
them always. The manual is a complete document and has legal
language. Citizens are interested in knowing about their problems
in simple language. The procedures which govern dealing with public

were demystified by making them known to all the applicants. Attempt has been made to educate the common visitors about the mechanism and formalities of the office. The branches which have larger public contact have put up leaflets and pamphlets in simple vernacular language stating the office methodology of different activities. Leaflets are available free of charge on the following subjects: (i) On the facilities offered to project affected persons; (ii) on how to get: (a) fair price shops, cloth shops; (b) huller licences; and (c) permission for selling essential items like sugar, grains, kerosene, cooking oils, cement, etc; (iii) on how to get licences for: (a) owning a weapon; (b) running a cinema; (c) conducting plays, circus, etc., (d) the use of loudspeakers; (e) running hotels, restaurants, etc; (iv) How to apply for: (a) conversion of the land use; (b) grant of land for residential, commercial and industrial purpose. (v) How to get the benefit of: (a) Sanjay Gandhi Niradhar Yojana; (b) Sanjay Gandhi Swavlamban Yojana. These pamphlets are given to the persons who apply for any licence or want to get the benefit of various government schemes. This pamphlet affords an opportunity to cross check. Anybody who applies for a fair price shop or a gun licence need not believe that only favour, influence or money works in Collectorates. He can compare his case with the other allottees and approach seniors in case of doubt.

The notice boards are now clean and tidy with a glass door. They have been fixed in conspicuous places. Topical information is displayed for the benefit of visitors. Another form of demystifying the information is the production of project-wise directories, e.g., on provision of the civic amenities to the project affected persons. This booklet gives the details about the families affected, the arrangements made for them so far and the balance work that remains to be done. It also describes the entitlements. Similarly, booklets on the reduction of land revenue of such persons whose lands have been acquired are available. Yet, another form is the index card on each village stating the resources and difficulties of each village. They are like ready reckoners.

EASY ACCESSIBILITY OF DOCUMENTS TO THE OFFICE STAFF

Non-availability of documents to those who handle them daily can never be appreciated by visitors or the senior bureaucratic levels. Non-production of documents is generally misunderstood as an indication of lethargy or slackness. The fact is that the clerks and supervising officer cannot produce many documents because they do not follow any scheme of keeping them. Non-traceability of documents may be a pretence or a reality, but it is grudgingly accepted

today. Delay in the production of documents gives adverse meanings to common mind.

Accessibility of documents is more important to a performing clerk. Long ago, which is relevant even today. With some additions, Anderson's six bundle system is vigorously practised in Ahmadnagar. The following strategy has been adopted to make the documents easily available: (a) arrangements of papers in six bundle system; (b) standardising periodical registers; (c) streamlining and standardising standing order files; (d) preparation of desk manuals and inventory of files; (e) destruction of D-Class papers; (f) classification and collection of all files/documents as per ABCD lists in Record Room; and (g) cataloguing all files compilationwise and yearwise.

SIX BUNDLE SYSTEM

It is very scientific way of keeping all the official documents. This system is mentioned in Government Circular dated December 17, 1954, and subsequently revised in Land Revenue Manual, 1967. It ensures the arrangement of all papers in the following six categories:

1. **Papers Pending Disposal**
   The daily dak brings new work or reminds of the pending work. The papers are divided as per their urgency or non-urgency and dealt with.

2. **Await Papers**
   There are many papers where final disposal depends on reports from field officers or some other departments. The reminders have to be issued on such correspondence or process is to be followed up.

3. **Periodicals**
   These are the monitoring apparatus available to the office. They are maintained in two sets - PRA and PRB. The periodical register 'A' contains the list of prescribed returns and the register 'B' talks of action taken. (Many returns have become outdated and many returns could be clubbed together and some could be relaxed in frequency).

4. **Standing Order Files**
   These are the most important files. Unfortunately, there is no master list available of S.O. files that need to be kept

at the district and Tahsil level. There is all the likeli-
hood of the various standing orders getting filed in wrong
files. The Government Circulars, Resolutions and important
letters, all find place in the standing order files. Most of
the time the copies of standing orders are kept in the S.O.
files adding to their bulkiness. Indices are not drawn in
most of the cases.

The issuing department in the Secretariat can easily codify
the filing system at district and taluqa levels. It will
facilitate uniform filing at all the cutting edge levels of
administration. The extra or superfluous papers have been
taken out. Every page has a serial number. All this has
reduced the size and made the standing order files handy and
exact. Tahsils have been given the standard indices in a
similar way. The work is going on to have uniform standing
order files both at district and taluqa levels. Even the
page number at district and tahsil levels should tally.

An index of all the standing order files is also prepared to
facilitate easy location of a particular standing order.

5. **Papers to go to Record**
    Decided cases or such references which do not require any
    more action should move to the main record room.

6. **D-Papers**
    They are for destruction. Normally, they are kept for a year
    and then destroyed. Such papers pertain to sundry correspon-
    dence, unimportant reminders and the like.

Arrangement of files in six bundles has transformed the entire
office. Some of the clerks have mentioned that they do not any
longer feel tired or tense because of properly arranged documents.
Every paper is within their reach and can be produced within
minutes. The criteria for allotment of an almirah which has been:
(a) confidentiality of documents, or (b) where legal or financial
dealings are involved has been replaced by open rack system. This
has perforce demystified the system. Open racks have defined space,
limited number of documents and are open to all. It has become an
exercise in open bureaucracy.

Preparation of Desk Manuals
    This is a local innovation. Idea is that in the absence of the
clerk concerned, any body could read the concise desk manual and go
about the job. This desk manual has the job chart of each dealing

assistant and the details of procedures in simple language.

Essay Accessibility of Documents to Public

There is an enormous increase in the paper work in offices. Most of these papers have to be filed, processed and stored for future reference. Following steps were taken to streamline the enormous task of record keeping:

1. Clearance of unwanted papers and records.
2. Weeding of such files/documents which had outlived their usefulness or arranging them as per ABC list.
3. Accepting the files sent by the various branches of the Collectorates and coupling them with step (2).
4. Stacking of records in rumals and keeping them on specially built racks in the category-wise and age-wise sequence.
5. Providing catalogues listwise and classificationwise to ensure easy accessibility.
6. Ensuring dust proofing by way of painting of racks, walls, ceilings and floor covering.
7. Fixing fire fighting apparatus, lock and key arrangements for safety purposes.

An innovation has been introduced by way of cataloguing all records. The subject of each file is on an index card with its classification, year and the colour specifications of the rumal correspond with the colour of the index card and inventory list. There is thus, accuracy in the location of each record. The rumals are beautifully packed, laced and kept on the shelves and are duly marked with the years to which they belong, e.g., 1890, 1891, 1892 and the like. The easy accessibility of record is ensured. Any record listed in the catalogue is available, within a period of a minute or two.

The get-up of the record room suggests efficiency. It has beautiful Linoleum floor matting. The racks, doors, walls and ceilings have been painted white. Not a speck of dust is visible. Nobody can enter the record room with shoes or chappals on. Flower pots containing ever green plants decorate the entrance. Record keeper has an attractive seating arrangement. Any one gets attracted to visit the record room because of its neat looks.

This kind of a record room has established in the minds of a common visitor that his papers are safe and are readily available.

IMPROVEMENT IN WORKING CONDITIONS

Half of the available time during service life of an employee is spent in the office. For this reason alone, the office needs to be comfortable. Besides, better working conditions lead to efficiency. Long sitting in the office with full concentration for prolonged periods leads to mental fatigue. It is, therefore, necessary to provide such working conditions which would sustain continuous good work and good behaviour to produce results.

Following changes were effected for providing better conditions to the employees.

Cleanliness and Dust Proofing

Dust is the greatest enemy of papers. Ahmadnagar is a drought prone area. The soil is light and loose. Dusty winds are inevitable logic. It was, therefore, decided to black top all the open areas. Some parts of office have been topped by 'shahabadi' tiles. It reduced the dust in the open compound of Collectorate.

Within the office buildings, cleanliness involved proper colouring of walls and covering of floors. The walls today are painted in light shades. The ceilings are painted white or varnished to reflect more. Nothing is allowed to be kept or hung on the walls. The shelves on the walls are gone with all the shabbily kept files. Only the most necessary photographs remain but in neat photo frames. The wall clocks are fixed on the walls.

Telephones have been shifted to convenient corners. It has helped many to work in peace. Those who are too close to it, have to get used to it. Similarly, cyclostyling machines have been shifted to isolated areas. Typewriters continue to be with clerks as most of them are clerk-typists. Visitors don't normally enter these working halls, hence disturbance is less. Noise caused by movements of employees is also limited because of floor mattings and orderly way of sitting.

Hitherto, there was no facility of drinking water in the Collector's compound. It has been provided.

Toilets have been provided for visitors, staff and officers with regular water supply. The stench and dirty upkeep is no more visible.

MOTIVATION AND TRAINING

The concept of in-service training is more or less non-existent in revenue administration. No emphases are laid on the aptitude at the time of recruitment of class III employees. The system and age

turn out 'experienced' hands who are not necessarily aware of modern management methods or techniques. They generally lack O&M approach.

Amongst the reforms introduced in the Collectorate of Ahmadnagar, the concept of training has found prominence. It is decidedly a local effort, hence a limited affair. There is no extra training staff nor a well equipped set-up. Make shift arrangements have been adopted.

The building plan had no hall which could be used as a lecture room. Two medium size rooms with verandahs on two sides were selected. The central wall has been removed and two rooms merged into one hall. A black board, an overhead projector, proper lighting system, a rostrum and furniture for thirty two students are the basic amenities provided. This small hall is also being put to multipurpose uses, e.g., meetings, reconciliation work which require larger table space, crisis management, etc.

Syllabi have been prepared for various categories of staff, e.g., for Resident Naib tahsildars, for clerks dealing with land sections, magisterial work, accounts, establishment matters, social schemes, etc. Idea is to remind the participants of common mistakes and to refresh the ranks of the changes in procedures. Many times the entire subject is discussed with all the attending details. Emphasis is laid on the purpose and perspective of each activity of the government.

Pamphlets and booklets on the office procedures are both handy and informative. They are in simple Marathi language. Emphasis on the proper upkeep of files, table tops, working area are discussed. A list of dos and donts is an effective dialogue between the instructor and the employee.

Another noteworthy reform is the training of fresh recruits. As we all know, the recruitment policy of government is not all for meritorious members of society. It is saddled with social commitments. Percentages are fixed for backward classes, project affected persons, 'strike-recruits', handicapped, economically weaker sections. The clerical vacancies are filled in by the State Selection Board.

With all this in mind, a local reform is introduced. The person who enters in service is put to two days' induction course. The course includes familiarisation with office hierarchy, round to the departments, a discussion with Sub-Divisional Officers, etc. They are also told about the art of letter writing (demi-official letter, ordinary letter, memorandum, etc.) on putting up of office notes, orders, case files, etc. This provides the new clerks a much needed opportunity to feel as one with the organisation.

Training section introduced in the collectorate needs formalisation. It needs to be supported. Training is not a simple job. Specific responsibilities have to be given to trainers. Ahmadnagar Collectorate does not have such personnel.

CONCLUSION

One of the weaknesses in the reforms introduced in the Collectorate is its local approach. A bureaucratic machinery is notorious for the preference to status quo. It has "extraordinary resilience to come back to its original form no matter what interventions were made at any time, unless these interventions also brought simultaneous changes at Central or State levels" (Anil K. Gupta of I.I.M., Ahmadabad). Though it is heartening to note that senior officials and non-officials have appreciated the changes immensely, yet the will to carry them elsewhere has to crystallise itself.

The element of giving importance to clerical staff, it appears, has been given a concession. The office has Class I officers (30), Class II officers (34), and Class III staff (1171). It is the last category which determines the personality of the administrative apparatus by its sheer numbers. Addressed, in other way, the ego aspect remains important. Reforms introduced have to provide for the fillers which promote self esteem. It is all right to have pride in changes introduced and for being instrumental in doing so. But the euphoria may not last long. Then what?

The aspect of inspiration is also critical. It is beyond doubt that the present Collector could inspire and motivate his team and staff to stir change. Before taking this leap, the self of the inspirer has to wield an iron will. So long, the will pervades, the system obeys. The moment the will fades, the system recoils. A strong fear lurks that these reforms may not be long standing.

Complete severence of clerk-public contact may never succeed. Nor, it is necessary. Certain levels of public will not get convinced unless the windows open up in clerical ranks. However, it would be an interesting exercise to regulate this contact. The effort is to make the system more public oriented. The idea to limit the clerk-public contact is intended to minimise the favours that creep in and not because there is less confidence in clerical ranks. It can also be hypothesized that if the perceptions are enlarged at the lowest levels, better changes may surface.

Prevalent social practices also determine the administrative milieu. Hypocrisy, double dealings, compromises made at top levels keep flowing down. They do get discussed and analysed. Adjustments at top levels may or may not get appreciated or understood. In a

society where corruption has become a way of life, it is difficult
to presume that honesty can prevail in an island of the district
office.

There is no doubt that the bureaucratic machinery desires to be
result oriented and public responsive. There is enough evidence
that the bureaucracy goes in such difficult areas where leaders of
commerce or industry will fear to tread. But it earns a bad name
when the developmental and service programmes start getting
influenced by the prevailing political practices and styles. The
cutting edge levels of the machinery are the most affected by the
official political groups or powerful lobbies or from the interested
groups within the bureaucratic mechanism. The age old assumptions
of fairplay and equidistance are cracking and the present organisa-
tional design is unable to bear the ever increasing burden of going
all by itself. The "retail trade in reforms" looks ineffective and
every time short lived. The experience of last three decades yearns
for a wholesome look on the entire gamut of affairs. What we need
most is encouragement to all functional innovations which may ulti-
mately suggest "a totally new administrative architecture" for a
society which is no longer ready to take the word and work of
government for granted.

Towards a Philosophy of Administration

MODERN THEORIES of Administration are mostly a development of the current century, based on a large quantum of empirical research and hypotheses, particularly in the US. These relate to study of human organisations, behaviour patterns, objectives and goals required to be achieved, methods and techniques employed in decision-making processes, the machinery of administration (bureaucracy), the pathologies (deficiencies) of the system and finally the question of value or philosophy behind administrative theories and actions. Though there is a large body of literature on other aspects of Administration, the literature on 'Philosophy' has been rather small, perhaps because a study of this aspect could best be attempted only after the subject itself had developed a unity or identification of its own.

In ancient times, Plato and Aristotle in the West and Kautilya in the East contributed to the study of Administration in a general way. In medieval period, Machiavelli in Europe also contributed to such knowledge. Their studies, however, reflected a conventional wisdom on Administration. To philosophy or values, both Kautilya and Machiavelli showed scant concern, as they laid main emphasis on 'ends' rather than the 'means'. Plato and Aristotle, of course, dealt with moral concepts of good or bad, for individuals as well as for the society. To quote Plato "The only hope of finding justice for society or for the individual lay in true philosophy and that mankind will have no respite from trouble until either real philosophers gain political power or politicians become by some miracle true philosophers." Plato thus believed in a government by wise men. Aristotle saw a balance between moral and practical choices and believed in a government by laws or constitutional forms. But both emphasised on Justice as the end-product of Administration. Kautilya and Machiavelli, on the other hand, believed in real-

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politik and to them achievement of objective was more important than
ethics.

In the 20th century, the question of 'Philosophy' of Administra-
tion received attention in the writings of Chester Barnard in the
USA and Geoffrey Vickers in England, followed by other writers like
Cakeshott, Peters, Simon, Thompson, Suppes, Leys and Lessem. The
first treatise on philosophy of Administration, however, appeared in
1958, written by Marshall E. Dimock.[1]

Dimock defines philosophy as a body of beliefs and practices
aimed at achieving better performance, for individuals as well as
for institutions. He uses this term not in the sense of ultimate
truths concerning the universe, but in that of principles of human
action and conduct which promote institutional vitality and good
life.

In the logical approach, the behaviour of man in Administration
is amoral; Dimock refutes this approach and observes that admini-
strators are not power-seekers as a rule; they are interested in
rendering a service. They usually have strong or dominant personali-
ties; otherwise they would not be in positions of leadership and
authority. They are often men of considerable character, stubborn
and determined. They are practical. They define their goals and
seek to achieve them. They, therefore, feel deeply about things.
Values, not techniques (though techniques are important) are the
eventual determinants of their action. They have to possess what
Elton Mayo describes as 'social skills' and 'political sense', i.e.,
"not only a better understanding of what men want psychologically,
but also of what is good for them and for society in terms of
values". This is the moral philosophy that integrates and balances
needs of men with those of institutions and gives the latter durabi-
lity. An organisation seeks to 'identify' social values with
individual motives. To quote Peter Drucker: the blending of insti-
tutional and individual values becomes the 'ultimate principle' in
Administration. This is the realm of philosophy and ethics. This is
also Dimock's realm of 'creative growth'--a blending of individual
initiative with wisdom in public policy.

The next comprehensive work on philosophy of Administration is
the book **Towards a Philosophy of Administration** by Christopher
Hodgkinson, Professor of the University of Victoria.[2] Hodgkinson's
interest in a philosophy for administration stems from the fact that
Administration pervades human life and behaviour and affects the
quality of life. To quote: "The day-to-day activity of administra-
tion is often downright imprecise, unclean, non-quantitative,
emotionally taxing and painful." He, therefore, sees in Administra-
tion a need for individual character and wisdom, much more than the

application of techniques or cleverness. Besides Administration (or execution) and politics (or policy) are not so distinct and water-tight in practice as to make Administration totally value-free. Thirdly, he sees in philosophy a cure for the pathology of Admini-stration, thus having a significant bearing on the quality of life.

Hodgkinson's book is divided into three parts: Part I--Logic, Part II--Value, and Part III--Philosophy.

I

Part I surveys the field of Administration in detail and examines the various theories and concepts from the standpoint of logic and rationality. After reviewing the conventional wisdom on Administra-tion in Plato, Aristotle and Machiavelli, he quickly comes down to the body of empirical research carried out in this field in the 20th century, starting from Frederick Taylor in the USA, who originated the concept of 'technological management' after an inductive 'time and motion' study of human labour. Henry Fayol in France, in a similar but deductive study, rationally analysed organisational function and structure, and gave birth to the famous POSDCORB concept. Max Weber followed with a more general theory of bureau-cracy, based on sociological observation and speculation. The classical view, essentially stated, was that given: (a) organisa-tional purposes, (b) organisational members, and (c) a set of technologies, it should be possible to achieve the given criteria of productivity and efficiency and the manner of ordering these compo-nents constituted scientific administration.

The Humanists found fault with the changeable nature of assump-tions in classical thought, i.e., changing ideologies and scienti-fic-technological context. They emphasised the importance of the 'human system' over the 'technical system'. Human behaviour and work motivation was given importance. The concept of Maslow's 'self-actualisation' became the end of the value-system. They talked of 'satisfiers' and 'dissatisfiers' in human motivation. They bypassed the question of organisational goals, and questioned the quantifiability and predictability of the human factor, as against the Classicists. Important thinkers in this group are Mary Parker Follet, Mayo, Argyris, Maslow, Herzberg and Douglas McGregor.

Then came the two great contributions to administrative thought between 1935 and 1945. They were Chester Barnard's The Functions of the Executive[3] and H.A. Simon's Administrative Behaviour.[4] Simon looked at administration as fundamentally a decision-making process and Barnard was greatly concerned with the moral element in executive-behaviour, linked with the concepts of responsibility and

leadership.   The theoretical and descriptive work of Simon and
Barnard was followed by the **systems approach,** with insights from
psychology, sociology, economics and political science.   This led to
PERT, MARS and techniques of Operation Research--a return to the
classical position of scientific management at a more sophisticated
level.   The important theorists in this direction were Blake, Miles,
Whyte, Likert, etc.

Hodgkinson recognises that since the middle of the century, under
the aegis of **Behaviouralism,** administrative theory has to a large
extent become organisation theory. He then briefly discusses a few
models of organisation theory, like the theory of bureaucratic
structures (Max Weber, 1921), theories of Complex Organisations
(Parsons, March & Simon) and a general systems theory (Van
Bertalanffy). Regarding purpose of an organisation, he adopts
Perrow's fourfold classification of: (a) output goals (goods and
services), (b) system goals (maintenance and growth), (c) product
goals (quality, quantity and demand), and (d) desired goals
(political aims, investment and employee development).   As regards
organisational structure, he discusses the Line-Staff model (power
and authority flowing along a line, Max Weber, Barnard) and its
variants, like the Linking-Pin Structure (Likert & Miles) and a more
complex unorthodox production structure (Golembiewski) where a large
number of outputs flow from a hierarchical model.   He also deals
briefly with classification of organisations as: (a) Productive, (b)
Maintenance, (c) Adaptive, and (d) Managerial-Political, as adopted
by Katz & Kahn on a social-systems approach, apart from the popular
classification of: (a) Mutual benefit associations, (b) Business
concerns, (c) Service organisations, and (d) Commercial organisa-
tions.   He also discusses the organisational biology of input,
throughput and output, with feed-forward and feedback linkages.   He
then proceeds to describe three models of motivation: (a) Individual
value-behaviour within organisations (micro-analysis), (b) Group
value-behaviour within organisations (medial analysis), and   (c)
Organisational value-behaviour within society (macro-analysis).

Hodgkinson feels that an administrative philosophy taking into
account all the shades of opinion generated by organisation theory
and its empirical findings, is yet to emerge. But he concludes that
administration's underlying content can never be value-free and has
to be always more than objective.   Subjectivity enters organisa-
tional theory in the discussion of organisation purposes and human
motivation, which take it beyond the concepts of structure and
function.

I would like to observe in this connection that scientific
management has been able to provide better tools to the manager/

administrator, for improving the efficiency of the organisation. These tools are value-free, but insofar as they are more efficient they serve the organisational needs better, particularly when the organisation is attuned to a value system for common good. One would also like to observe that such a value system is more a matter of perception for the top management or policy making levels and may not affect the day-to-day operational levels in an organisation.

Another important attribute of administration is decision-making. Hodgkinson analyses the special body of knowledge dealing with decision making and finds that the process itself cannot be rigorously scientific. He finds the presence of internal value components in the decision-making process, which thereby give it a philosophical status. I am inclined to agree with this view that administrators, who take organisational decisions, would find it useful to keep the question of value upper most in their minds.

Hodgkinson then proceeds to discuss policy making. He observes that administrators come to their policy naking function with three kinds of interest-self, organisational and extra-organisational. These interests overlap and anyone may become salient at any time. Again, policy itself may be of three types: (a) Opportunistic, (b) Rationalistic, or (c) Doctrinaire. The body of knowledge for policy making indicates a very limited possibility of application of rational methods. Administrators have, therefore, need of competencies beyond those of merely rational analysis. They, therefore, need philosophical skills of value analysis. I would like to comment that a value system may be very useful in promoting the organisational interest as salient rather than the self or extra-organisational interests. In my view, rational methods may enhance the quality of decision making and I am, therefore, not able to see in what way they have a limited possibility of application. A value system can also prevent opportunistic or doctrinaire slants to policy making, and it can do so, provided it itself is rationalistic.

Hodgkinson then deals with concepts of power, authority and leadership. Power can be exhibited as force, domination, or manipulation. The need for power is embedded in the real-politik of organisational life. Power can be legitimate or not so. Authority is legitimate or legitimised power. Distribution of authority is determined by the purpose of the organisation. Organisational interest and purpose depend upon perception. At a national level, perception depends upon social ethos. This social ethos again gives sanction to authority. Authority is manifested in the communication of decisions through orders. One often finds informal authority or influence, existing side by side with formal authority. While power

and authority are formally linked to an organisation through the concept of responsibility, influence is a form of power which can be said to evade this responsibility.   In modern organisations, authority again is shifting from 'authority of position' to 'authority of expertise'. (More knowledge is more power—Thompson's thesis).   Power and authority finally merge in the concept of leadership. The 'trait-theory' of leadership has been exploded in modern times. Factor analytic studies have revealed that an effective leader is one who can simultaneously accomplish the task of the led-group, while maintaining their membership morale. In simple terms, leadership amounts to getting an assigned job done, without making the men doing it feel unhappy. Weber classified leadership into traditional, charismatic, and legal-rational. It encompasses technical competence, power to generate faith, integrity of objective, inspiration for action, and a consistency with individual morality. It is more than a trait or charisma. I would like to fully subscribe to this view and also to observe that value-considerations may be necessary for a leader for achieving the consistency of individual morality in his led-group.

To sum up Hodgkinson's Thesis in Part I: Administration can be said to be a body of knowledge which can be put forward as organisation theory. Its exercise can partly claim some administrative competence. The main administrative acts are, however, decisional, and the quintessence of administration is policy making. This implies philosophical skills and entails the exercise of power, authority, influence and leadership. Power, authority and influence have a moral component. A leader is also a moral exemplar. Responsibility has been defined by Simon as 'responsiveness to values'. The problems and characteristics of administration and administrators thus inevitably lead us into the realm of values.

On the whole, Hodgkinson concludes, the 'field of administration reveals the limited applicability of logic and rationality'. There are special constraints on rationality and finally, there is an overwhelming influence of extra-logical and valuational components in administrative action. Though I agree with this overall analysis, I would only like to observe that the nature and type of constraints on rationality would vary from situation to situation. In particular, one would like to observe that modern processes of data analysis have even made it possible to feed the value-parameters to a computer in certain situations and thereby improve on the objectivity or rationality of the decision-making process, rather than leaving it to the value system of the decision-maker. But, the fact remains, that there are a large number of situations in which this

is not possible and hence value would play an important role in making choices.

II

Part II of Hodgkinson's book deals with 'value'. He distinguishes between fact and value and observes that facts are propositions which can be said to be true or false while value is a notion which can only be good or bad. Value being a function of individual mind, is a matter of perception. Desires, wants or what Maslow describes as 'needs' are sources of value. Hodgkinson describes a paradigm of value related terms in which between self and the world are motivation, value-system and attitudes. While motives provide a source of value, attitudes are manifestations of value at the interface of the world. He also presents an analytical model of the value concept in which he presents three types of values: Type I: 'transrational', type II: 'rational' and type III: 'sub-rational' and divides them into two components — 'right' and 'good'. Type I or transrational values are metaphysical in nature (Examples: Codes of Buddhism or Communism). Type II or rational values correspond to humanism, utilitarianism and pragmatism. These values emphasise reason and compromise, prudence and expediency and are, therefore, particularly attractive to administrators. Type III or subrational values correspond to reductions of behaviouralism and logical positivism. They are expressions of emotive preference.

Hodgkinson mentions three postulates which are characteristic of this value system. Postulate I — Hierarchy: Types I, II and III Values are superior in that order. Postulate II — Degeneration: There is a natural tendency for values to lose their force over time. Postulate III — Avoidance: There is a natural tendency to avoid resolution of value conflicts, i.e., in a given situation, the hierarchy tends to hand down such problems to the lowest possible level.

We have seen a psychological treatment of value-issues in Maslow's 'Hierarchy of Needs' and Herzberg's scheme of 'satisfiers' and 'dissatisfiers'. Maslow's theory presupposes the intrinsic worth of man. The self which is to be actualised is worth actualising. Herzberg's theory presupposes the intrinsic worth of work. Work is the means for the self-actualising end. Both these theories which are philosophically quite suggestive, are consistent with the Type III value, discussed by Hodgkinson.

The next issue that follows is that of values in administration. Values are concepts of the desirable and are, therefore, present in administrative action. The temptation to avoid values is quite

powerful. One technique of avoidance is to retreat to 'managerial-
ism': Separate ends from means, apportion the latter to management,
the only value test being the criterion of goal accomplishment.
Simon sometimes beats this retreat, but often goes further to
espouse a separation of facts from values (logical positivism).

The next question is of values in organisations and their goals.
The broadest organisational goal is the welfare of the members.
With specificity of material objectives, variations like MBO, PPBS &
PERT, etc., can be adopted by organisations. Values are irrelevant
to such objectives.   But in modern societies, organisational goals
have become pluralistic. Consequently, in the organisational market
place, a choice has to be made out of a wide variety of goals, and
in this process, a value judgement may enter into consideration.
The dualism of the value model, however, rests on the distinction
between individual and organisational goals since organisational
goals are not always very clearly seen by the members.   Sometimes,
an administrator may have to overcome strenuous temptations in
giving up his own values in favour of organisational or extra-
organisational values.   He has also to cope with several pressures
generating value-bias. One, therefore, finds situations conforming
to McGregor's Theory 'X' or Theory 'Y'.   In fine, the problem of
resolution of organisational value conflict is between its idio-
graphic (individualistic) and nomothetic (universal) values. For
this, the administrator will have to carefully analyse his own
values vis-a-vis those of his organisation, as expressed both in its
formal goals and informal workings. Organisation theory cannot,
therefore, be value-neutral.

In presenting his typology of values, one finds that Hodgkinson,
quite rightly, does not treat them either as exclusive of each other
or superior or inferior in a scale. He believes that they can all
be used in different social contexts, either purely or in combina-
tion, and would depend on the administrator's view of man in the
organisation, and his style of functioning.

There has been some empirical evidence to show that because of
greater relative rewards and status, administrators are prepared to
work harder and longer. Work also ranks high in executive behaviour
because of its self-fulfilling opportunities.   An amateur adminis-
trator (elected executive) is more sensitive to extra-organisational
interests than the professional administrator. An administrator may
also have his own scheme of values.   There is thus no value-equili-
brium possible in an administrative system.   Rather, one can
visualise a continuous conflict between individual, organisational
and societal values, which again, have to be monitored and modulated
continuously. No particular value may triumph, but a synthesis may

be workable.

Values also can be affected by pathology of ego or opportunitism. These can be inimical to organisational good, and have, therefore, to be discerned and fought against.

One can also say that though a Type I value is higher, in the sense that it commands greater commitment of its members, it may not be very much suitable in the modern pluralistic world. Type II and type III values have, therefore, to be preferred, though situations cannot be ruled out where Type I values can be usefully utilised. Type II values are associated with custom and reason and follow the middle path. Type III values are based on sensory gratification and though lowest in the value ranking, seem to be more widely prevalent in modern organisations, particularly of the western kind.

Finally, it can be said that an understanding of values is important and necessary, before value-conflicts can be resolved at any level, and from that angle Hodgkinson's analytical model of values is a special contribution to this field.

III

This brings us to part III of Hodgkinson's book --**Philosophy**. In this part, he deals with the pathology of administration, organisational morality and responsibility, metavalues and philosophical options.

Pathologies are of two types--surface and depth. In surface pathologies, the first is what he calls the 'Platonic dilemma' - a conflict between the average administrator's concept of self and the concept of the 'guardian'. The second is the 'hierarchic dilemma'-- i.e., distribution of power getting out of phase with distribution of organisational rewards; while organisational rewards go disproportionately to the administrative-managerial line, the staff and workers become more and more self-conscious of the power implications of their expertise. The third one is 'superficiality'. Mintzberg has shown that much of the busy time of executives is spent on superficiality. Serious reports on controversial issues are not read or used to defer decisions. Problems demanding action are unnecessarily postponed through superficial executive engagements; then when decisions get forced, they are taken without proper reflection. There is no time for reading specialist literature. Such knowledge is imperfectly acquired through informal contacts. Committees are used as deflective devices. Decisions are taken on ad hoc basis and not on their full policy implications. Value-factors in decision-making are affected by such superficiality. There are also other miscellaneous ills which have been grouped

under a fourth category. Lack of theory is one. According to
Hodgkinson there is yet no universally accepted theory which is
substantiated by a group of tested behavioural hypotheses. The
second is what he calls the 'paragon' fallacy—attributing a mantle
to the administrator, which he does not deserve. There are problems
in the value domain, like the watergate case. Also, in military
organisations, which exhibit the lowest levels of national value by
brutality and death-dealing.

There are again depth pathologies, like egotism, leading to self-
seeking success at the cost of others. This is the Machiavellian
concept of intrigue and politics. The second one is aggression and
compliance. Aggression is harnessed to ambition and is necessary
for climbing the organisational hierarchy. Milgram's work has shown
its malevolent effects; that in certain organisational environments
or structural conditions, people display a remarkable willingness to
compliance, in contravention to value requirements or morality.
Aggression through ambition, leads to a third pathology of career-
ism. An over commitment to careerism creates its own sense of
selfishness and irresponsibility. The upward-moving executive is so
obsessd with his movement that he leaves behind unfinished work,
stalled decisions and unfulfilled obligations. A similar phenomenon
also occurs in a political life when vote-seekers and elected
officials standing for re-election make decisions calculated more to
win votes (i.e., advance their careers) than to advance true collec-
tive interest. When careerism becomes pathological, it breeds in-
security. Cliques control the reward system. The hierarchy becomes
dysfunctional. At personal level, careerism leads to executive
stress and insecurity. Though careerism and hierarchy are both
essential and beneficent aspects of administration, they get easily
subverted into pathological forms. There is also a fourth pathology
relating to the philosophy of success, which Hodgkinson has taken
from the ancient Indian text, the **Arthasastra**. It delineates four
strategies for dealing with men: (i) Negotiation, (2) Force, (3)
Donation (graft), and (4) Division (divide and rule). It reveals
the administrative 'Id' which an administrator has to reckon with in
his value preparation, so that he can contest it without a failure
of nerve, a surrender to cynicism, or an abdication of value.

I must observe here that Hodgkinson's treatment of pathologies in
administration is highly appropriate and realistic. Many of these
are borne out by administrative experience as well as empirical
research, both in this country and outside. Philosophy is an
antedote to these pathologies, but there can be situations in real
life, where pressures or forces go to promote these pathologies at
the cost of men and their relations with other men. Sometimes

organisations go bad , losing credibility or purpose. A study of values, promoting awareness of values in the systems and organisations, and the practice of such values to the extent possible, can go a long way in curbing the deleterious effects of these administrative pathologies on the systems.

Hodgkinson then proceeds to discuss 'Organisational Morality and Responsibility'. In putting premium on concepts of rationality and depersonalisation, organisations tend to neglect the morality aspect. Administration is viewed as a game of chess, in which there are no right or wrong moves, but effective or ineffective moves. The administrator becomes an agent of performance. This leads to irresponsibility because the agent then is acting for the organisation at all times and is not responsible for the acts—morally or personally. But organisations are rational, interest-pursuing collectivities, and, therefore, their actions may conflict with the interests of other collectivities. While legal or formal responsibility of organisational decisions lies with the collectivity, Hodgkinson feels that an individual administrator can be made morally responsible for the acts of his organisation. One cannot hang a common seal nor can an administrator be accepted as totally faceless. Barnard describes responsibility as "the property of an individual, by which whatever morality exists within him, becomes effective in conduct". There should be an incentive for moral behaviour and an organisational reward system for practice of such responsibility. Administrative leadership would then be prompted to promote "morality that exists within the leader".

It may thus be seen that ethical neutrality for an administrator, which has been visualised by eminent writers like Barnard and Simon, appears to become somewhat untenable in Hodgkinson's hypothesis. Hodgkinson, however, observes that quality of leadership will be functionally related to the moral climate of the organisation and this, in turn, to the moral complexity and skills of the leader. Empirical studies are, however, required to test this hypothesis.

Hodgkinson then discussed the next important issue of **metavalues**. These are value-imperatives which pervade or govern the organisations. Metavalue is "a concept of the desirable so vested or entrenched, that it seems to be beyond dispute or contention". Hodgkinson describes four such metavalues, namely, maintenance, growth, effectiveness and efficiency.

The first law of nature is self-preservation. Similarly, the first law of an organisation is to maintain itself. Organisational dynamics is expansion or growth. Growth may mean power, and power being an administrative reflex, administrators may seek more growth for more power. An organisation has to be effective to achieve

desired ends. It has also to be efficient, i.e., given alterna-
tives, it should result in: (1) the maximum return with same cost,
or, (2) the minimum cost for the given return. The administrator
also has his personal metavalues of maintenance, growth, efficiency
and effectiveness. To these, Hodgkinson adds the instrumental and
end metavalues of 'power' and 'success'.

Hodgkinson's hypothesis is that the metavalues are by definition
good, but what needs periodic exmination is whether they are right.
That question cannot be left to their primitive, unconscious
influence. They have to be brought out into the value-calculus of
administration at a conscious and sophisticated level. The private
metavalues need also similar scrutiny, and that becomes Hodgkinson's
next consideration, namely, what are the philosophical options
available before the administrator?

The administrator must be true to his own set of values. This is
described by Hodgkinson as 'authenticity'. If this authenticity is
to be advanced among administrators, it follows that their private
consciousness of value has to be raised. Self-consciousness should
also include self-critique of values. This is more necessary in a
pluralistic society or in an environment characterised by blind
ideological commitment. The value continuum for an administrator
may range from non-commitment or detachment at one end to engagement
at the other. His values may be governed by beliefs, commitment to
work or even to success. There are also psychological complexes of
attitudes. Kafka's bureaucrats are faceless, Weber's impartially
benevolent or there may be some at the other end, serving time,
after failing themselves and the organisation. Both extremes are
bad. The administrator should try to find a vision of man, synthesi-
sing Theory 'X' and Theory 'Y'. He could be the ultimate resource
for collective organisational life. He has to assume the formal
role of a leader. His authenticity would stem from his commitment
to his own values and in relating these values to his followers.
His own values cannot also be too divergent from the organisational
purpose or interest. When value conflicts occur, he would resolve
them by using the value model suggested in this work. The values in
conflict have to be analysed in terms of type or level and then
settled on the principle of hierarchy at the lowest level of resolu-
tion, consistent with authenticity and moral responsibility.

The concept of metavalues leading to a philosophical base for the
administrator and the organisation is a very special contribution of
Hodgkinson to administrative literature. That the metavalues can be
as much dysfunctional as functional is also important. Earlier,
Barnard had cautioned against over-expansion of an organisation as a
'source of destruction'. It may not be uncommon to think of situa-

tions in which administrators' private beliefs (like Marxism, Free enterprise) can create value conflicts with other individuals or with organisational goals. What we really need is a theory in which man will not only fulfil himself, but also the organisation. In short, this is the philosophy of administration value propositions about man, men and the relationship between man and men. In propounding these theories, Hodgkinson goes much beyond Dimock, in content as well as sophistication of analysis. (It is somewhat surprising that there is no reference to Dimock in Hodgkinson's work).

The method used by Hodgkinson is the descriptive-analytical method, which is warranted by a subject of this nature. He has extensively reviewed the earlier literature on the subject and has drawn upon empirical data or findings wherever available and necessary for his analysis.

CONCLUSION

When Chester Barnard wrote his book **The Functions of the Executive** in 1938, he had estimated that there were then five million persons doing executive work in the United States. The number has been significantly growing since then, inclusive of the old, new and the developing world. New institutions are coming into being. Consequently, the problems and complexities of administration have been growing, both relating to size (i.e., institutions) and policy (i.e., relations of government with industry, labour, consumers, power structure--in fine, the rest of the environment). Administration has, therefore, become more than learned responses or well-chosen techniques. It has been charged with a value for the greatest good of the greatest number. There has been a need for clear purposes in precepts and practice and a convinced sense of direction and social justification among executives. There has been a need for widespread professional self-consciousness and standards of good performance. In this situation, Hodgkinson's treatise is timely and extremely useful.

Though the basic nature of administration has been ageless, the emergence of a profession of administrators can be called a modern phenomenon. This calls for: (1) a special body of knowledge, and (2) a special competence of the men in the profession. The administrator who makes decisions, maintains the organisation and carries responsibility, becomes functionally distinct from the other members of the organisation. He not only knows, but also acts. He is thus greatly concerned with organisation theory, decision-making and leadership. He is, thus, greatly concerned with what is good or bad

and what is and what ought to be. In many administrative systems, particularly of the developing world, values are being ignored for short-term ends and objectives, relating both to individuals and institutions. This cuts at the root of durability of these institutions and reduces their welfare—value. The value-system advocated by Hodgkinson, thus, has a greater utility for the developing countries.

Administration in the modern world and particularly in the developing countries is no longer a static concept (law and order, revenue administration) but a dynamic one (rural and urban development, planning and projects, irrigation and energy). Therefore, the value-system for Administration in modern society has also to be dynamic. It has to keep pace with the changing needs and attitudes of the society towards concepts of development. Yet, there has to be an underlying element of continuity in the value system that would ultimately direct administrative effort to promote a good life (not 'good' per se, but 'good' as related to the systemic needs and options).

A danger to values arises more from the amateurs (elected office-holders) than from the professionals (organised civil service). Differences in training, responsibility and accountability go to explain this situation. To correct this imbalance, a stronger commitment to values is needed among the professional administrators. Society's method of accountability for the elected office-holders also needs to be improved, more particularly in a democratic-liberal situation.

A value system is also necessary in developing countries to promote the 'extension motive' among administrators and to align the nache (achievement motivation) towards socially desirable goals. If the paradigm of development is taken as:

$$DV = (AM \ XEM) - DM,$$

Where **DV** = Development

AM = Achievement Motivation

XEM = Extension Motivation, and

DM = Dependency Motivation,

the Achievement Motivation and Extension Motivation become important factors in achieving development. AM and XEM have, therefore, to be value-aligned for the benefit of the society.

A decision-making process in any administrative situation is based on: (1) Information, (2) Analysis (with or without needed techniques), and (3) Value. While decisions taken on the basis of (1) and (2) can be optimal, they may not be the best or most desir-

able, without, value considerations. Even though, quantitatively value may occupy a smaller share in the decision-making process, it has implications for quality which need to be constantly emphasised, particularly in the modern pluralistic societies.

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Abbreviations used:

PERT	=	Proramme Evaluation and Review Technique
MBO	=	Management by Objectives
PPBS	=	Planning, Programming, Budgeting Systems.
MARS	=	Model Analysis and Redesign System.
POSDCORB	=	Planning, Organising, staffing, Directing, Coordinating, Record-Keeping, Budgeting.

BOOK REVIEWS

District Administration and Rural Development in India: Policy
Objectives and Administrative Change in Historical Perspective
B.B. MISRA, Delhi, Oxford University Press, 1983, p. 431, Rs.150.00.

Indian administrative and social history has many dark areas
awaiting the light of scientific inquiry. The subject chosen by
Prof. Misra for the present book is one such neglected area. The
present study has been prepared as complementary to two of his other
works: **The Bureaucracy in India: An Historical Analysis of Develop-
ment up to 1947** and **Government and Bureaucracy in India after 1947.**
Yet, it is fairly self-contained and stands on its own. As a
comprehensive account of district administration and the gradual
unfolding of rural development and decentralisation policies during
British Rule, Prof. Misra's present work is unmistakably a master
piece.

District Administration (DA) has traditionally occupied a pivotal
place in the Indian administrative structure. Born out of conside-
ration of revenue extraction and law and order maintenance in the
early parts of Company Rule in India, DA had undergone a steady
process of functional multiplication and corresponding organisa-
tional differentiation. The three Presidencies of Calcutta, Bombay
and Madras were the seedbeds of experimentations in the forms of DA
which ultimately paved the way for a definite shape of a strong
bureaucratic field administration headed by the Collector-magistrate
- the **mai-bap**, the benign patriarch presiding over the destiny of
the Indian rural masses.

As the story of DA unfolds itself, its basically regulatory and
extractive character gets slowly tempered by the emerging considera-
tions of 'rural development'. Especially after the publication of
the **Famine Commission Report** (1880) and as a sequel to successive
famines and rural riots, such as the Deccan Riot (1875), the condi-
tions of Indian agriculture and the gradual immiserisation of the
peasantry under the prevailing land laws came in for searching
policy inquiry.

The last quarter of the nineteenth century witnessed significant
qualitative changes in DA occasioned by: (a) the imperatives of
positive rural development, and (b) a concern for gradual decentra-
lisation of power at the grassroots level. The Resolutions of Lord
Mayo and Lord Ripon heralded the inauguration of a system of local
self-government in India with far-reaching potentialities both for

DA and the nourishment of a democratic spirit at the locality level.

Supported by detailed documentary evidence, Prof. Misra's investigations into the administrative history of rural India during British rule cover a wide range of subjects such as the changing character of DA, the setting up of specialised departments and the concomitant controversy over the generalists and the specialists in administration, the rise and growth of the rural cooperatives and the local self-governing institutions, and the organisational variations across the different provinces to deal with field administration and rural development.

Compared to the rich and well-documented survey covering the British period, the account of the post-independence phase appears somewhat sketchy and rather sweeping. History is no doubt an unending process; it is not, however, quite clear why the account of the post-independence period covers only up to the end of the 1970s, when the book carries the year of publication as 1983. The progress of panchayati raj including its state-wise variations has been discussed very briefly. An account of the shifting policy scenario in rural development should have been included in a book of this kind. One would expect a more thorough-going treatment of this period with proper documentation as a companion volume to the present one in the near future.

There are a few inaccuracies that deserve special mention. The cooperative legislation was enacted in 1904 and not 1940 as stated at p. 123. At p. 329 Asoka Mehta is misspelt as 'Ashoka Mehta', and West Bengal's fourtier system of panchayati raj is actually shown as three-tier in column 5. Eventually, West Bengal fell in line with the all-India pattern. 'Panchayati' raj appears as 'panchayat' raj at some places (see p.XII for instance). Surprisingly, the cover jacket of the book misses the expression 'In India', which has been restored in the flyleaf!

More substantively, Prof. Misra's 'history' seems a peculiar mixture of 'objective' narration and 'subjective' interpretation. This raises the question of the historian's own theory of historical observation or the perspective he chooses to take to select evidence and pass judgement on happenings. Generally, Prof. Misra's account of DA conceals an undercurrent of considerate appreciation for the generalist collector-magistrate coordinating DA; and by implication there is a latent distrust of specialists gaining in influence in the course of proliferation of government tasks at the field level (see, for instance, pp. 156-161). The concept of 'nation-building' creeps in here and there (see p.271), conveying a strange message of steady British efforts to build a prosperous Indian nation!

The account of the post-independence period in Prof. Misra's treatment is a picture of limping local governments and preponderance of wily politicians more interested in private gains than public welfare (see pp. 341 and 346). The bureaucracy is credited with 'administrative skill' and 'functional expertise' (p.341). Local governments are, by contrast, 'caste-ridden' and 'backward-looking'. Politics, to Prof. Misra, epitomises irrationality, as it "filters down to the rational level of administration" (p.380). No doubt, a naive expression of a belief in politics-free national bureaucracy! At another place, Prof. Misra seems to have been championing the cause of local government and advocating the supremacy of the elected element vis-a-vis the district collector (p.326). There is thus an ambivalence in Prof. Misra's historiography as he swings between two opposites - bureaucratic field administration and democratic local government.

To sum up, it is a great book by one of our eminent social historians depicting the entire panorama of district administration as it had been evolving during the long course of British rule in this country. History is a historian's forte. So Prof. Misra excels in this part. The post-independence phase is, by contrast, hurriedly surveyed and contains a strange mixture of documented 'facts' and personal 'opinion'. To err is human, as the proverb goes; but the commentator can never have the requisite divinity to forget!

--MOHIT BHATTACHARYA

Decentralization and People's Participation in Bangladesh
SHAIKH MAQSOOD ALI, M. SAFIUR RAHMAN AND KSHANADA MOHAN DAS, Dhaka, National Institute of Public Administration, 1983, p. 614, $ 14.00.

It seems that generally much policy research never results in major policy changes. The volume reviewed here is, therefore, unique in that it played an instrumental role in recent decentralisation policies implemented in Bangladesh. That is, the research carried out by the National Institute of Public Administration (NIPA) in Dhaka and reported upon here was first used by the Committee for Administrative Reorganisation/Reform, with the committee's recommendations reflecting the findings of the NIPA study. More importantly, the recommendations are being implemented in the policy of upgrading thanas to locally self-governing Upazila Parishads.

The book by Shaikh Maqsood Ali, M. Safiur Rahman and Kshanada
Mohan Das is, however, much more than a staff report to a committee.
It is a piece of scholarly research. The volume contains some
history of the evolution of administration in the rural areas of
Bangladesh; it reports on extensive opinion surveys of nearly 9,000
persons either directly involved in or served by this administrative
structure; and it contains several proposals regarding further.
reform aimed at promoting participation in economic planning by the
people.

The book is divided into six main parts.[*] After a fairly brief
introductory section, the authors devote four chapters to a histori-
cal and comparative discussion of decentralisation throughout Asia
with special emphasis on the sub-continent. Part III of the book is
a thorough description of the history and current (at least as of
1980) status of the several hierarchical tiers of administrative
structure in Bangladesh from ministries to departments to divisions
to districts to sub-divisions to thanas. But these chapters are not
entirely historically descriptive. The unique feature is that they
are interspersed with findings from the survey questionnaire conduc-
ted in 8 of the, then, 20 districts of Bangladesh. This documenta-
tion is definitely the high point of the longest chapter of the book
- Chapter VIII which focuses on thana administration. It is there
that one can learn of the genuine desires for the sorts of changes
which accompanied the upgradation of thanas to upazilas. Included
were the needs to: (1) increase the coordination powers of the chief
administrative officer of the thana; (2) create an elected head of
the thana as a true local government; (3) provide magisterial func-
tions at the thana level; and (4) increase powers of other officers
representing the several line ministries. Each of these popular
findings was incorporated in the creation of the Upazilas.

Part IV focuses on administrative coordination and control in
three service areas - cooperatives, education and law and order.
The broad support for decentralisation of the basic function of
education is well documented there. The fifth and sixth parts of
Decentralisation and People's Paticipation in Bangladesh emphasise
the latter portion of this title. Chapter XVII constitutes the most

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[*]There is, as well, an additional chapter which documents the fact
that administrative decentralisation has been a major topic of study
of committees in Bangladesh since early in its British colonial
history, six appendices which contain specific statutory information
pertaining to the creation of Upazilas and two annexures documenting
the survey questionnaires.

innovative aspect of the book. It focuses on the planning process in Bangladesh and outlines a set of steps whereby this process could be initiated at the village level in a bottom up approach to planning. While not incorporated in the current decentralisation effort, it very well could indicate the direction of future policy reforms.

It is this reviewer's opinion that these attributes recommend the book to any student of development administration in Bangladesh. Unlike so many 'essays' on administrative reform, this book is based on well-defined and documented empirical research.

Still, as with much policy research, the book also raises additional questions which, given this volume as a starting point, should be addressed in the future. Among these are: (1) Has the Upazila at least partially solved the problems of development administration so well documented here? (2) Since many of the rules under which local administration in Bangladesh still operates have carried over from the federal (or even colonial) systems, are some of the problems raised in this volume, the result of continuation of these colonial or federally-based rules in a unitary political system? (3) Is, as implied on page 159 regarding thanas, the Upazila still too large both in terms of population served and area covered given the problems of communication and transportation which characterised much of rural Bangladesh? (4) In general, both the issue of costs of reforms as well as the potential for local resource mobilisation are ignored in this volume. These financial issues, too, should be addressed, especially given the general shortage of public sector resources and the expressed goal of greater local self-reliance associated with the creation of Upazilas. Although all of these questions were outside the scope of the volume reviewed here, it is hoped that the researchers at NIPA and other institutions in Bangladesh will address these further issues in the same scholarly style and produce a set of workable reforms to improve further the administrative system. It is clear that the volume under review will provide a fine example for this further policy research to follow.

--LARRY SCHROEDER

Ghana 1957-1966: Politics of Institutional Dualism
BENJAMIN AMONOO, Winchester, Mass., George Allen & Unwin, 1981,
p. 242.

Developmental inadequacies, coupled with oppressive elements
inherent in colonial rule sparked off nationalist political senti-
ments that culminated in political independence in Africa. Contrary
to the expectations of African nationalists, political independence
has not resulted in the realisation of the economic aspirations of
the African 'Freedom Fighters'. Instead of economic development,
the new era of independence has been characterised by constant **coup
de etat** resulting from civil and military discontent of administra-
tion by nationals. Post independent Africa continues to be
dominated by improper mobilisation of resources, poor allocation of
the limited resources and ineffective utilisation of available
wealth, goods and services in selected countries. National trans-
formation has been handicapped by the absence of new capital
investment and development techniques.

To many nationalist leaders, reforming the administrative
mach.nery was an essential pre-requisite for more effective planning
and implementation of the development objective, for the protectors
of the past could not be the builders of the future. For they
witnessed in the colonial structure a system that excelled in
controlling the lives of the natives and maintaining law and order
rather than achieving development and results in the then colonies.
The new era of independence they argue, requires an institutional
system that synchronises political, economic and social goals of the
citizens rather than the traditional belief in formalism and
organisational niceties and centralisation of power. For the
nationalists, independence requires an institutional mechanism to
promote equality in resource distribution, popular paticipation
through decentralisation of the executive and effective coordination
rather than centralised rigidities, typified by colonial rule.

The choice of administrative machinery for implementing develop-
ment projects in post-independent Africa has had political overtones
pitching the very powerful bureaucrats against the highly emotional
politicians. Experience in Africa over the last few decades
suggests that stability and growth in the economy depend on the
ability of the government to synchronise political objectives with
the bureaucratic machinery.

Dual institutional arrangements developed in Ghana between 1957
and 1966 are the focus of **Ghana**. Amonoo argues that this institu-
tional dualism operated at all levels in Ghana - national, regional,
district and local - and that it is the result of an "incomplete

process of adapting the institutions of the old colonial Civil
Service to the purpose and orientation of the Convention People's
party Regime" (p. 1).

The study deals with the inter-relationships between the ruling
party regime and the inherited colonial institution during the post-
colonial era, in Ghana. Amonoo lucidly highlights and admirably
explains the nature of conflicting interests between the bureaucrats
and their political bosses. He also illustrates the extent of the
'patchy and non-homogeneous response' by which the Convention
People's Party - the C.P.P. - the then party in power attempted to
infuse its development objectives into the Civil Service. Ghana,
between 1957 and 1966, lacked a balance between factors of political
necessity, which was essential for the survival, stability and
maintenance of the then ruling party and the established bureaucra-
tic machinery with rationality as its guidepost. One thing that was
made apparent from Amonoo's presentation is that in Ghana under the
C.P.P., the party remained separate from the bureaucracy. He
writes:

> The consequence of the process of adaptation or the patterns of
> institutional innovation during Ghana's First Republic do not
> readily indicate that there was fusion between the C.P.P. and the
> Civil Service. Only a section of the administrative machinery
> which was controlled by the party leadership in government was
> close to the party. Broadly, the two sections of the administra-
> tive machinery indicate that a distinction was maintained between
> party's political and administrative roles. These structural,
> functional operational differences as well as the character of
> their senior personnel testify to this.

This view starkly contradicts findings of writers who set out to
denigrate the regimes of Kwame Nkrumah immediately after he was
dethroned. While the Party Machinery was very impatient with
routine procedures and precedents of the bureaucratic machinery,
little resulted from their effort to transform or refashion the
colonial apparatus and the problem of Ghana then and now remains
running an independent and development oriented country with an
administrative machinery tuned to protecting the colonial interests
and systems. In the words of Amonoo, the bureaucracy "remained
conventional and continued to wear the old colonially woven bureau-
cratic garb". This does not mean that attempts were not made to:
(a) replace the bureaucracy, (b) circumvent the bureaucracy, or (c)
politicise the bureaucracy.

All these attempts were made but without success. And the failure of Ghana can be attributed in part to such a failure. The refusal of the bureaucracy to adapt to its new political environment resulted in co-existence of the dual institutional structures which resulted in animosity between systems that were expected to cooperate. The political machinery operated according to its own rules, while the bureaucratic machinery behaved in its 'rational' manner interpreted by the political authorities as mechanisms geared to stupefy and stiffle their ambitions. Amonoo has, indeed, raised the issue of the politics-administration dichotomy. He has also vividly demonstrated that the interests and priorities of the politicians of the Nkrumah regime differed from those of the bureaucrats.

Amonoo's volume is indeed a significant contribution to an understanding of the Ghanian system of managing public sector institutions in a developing country.

--KOFI ANKOMAH

An Indian Rural Economy - 1880-1955: The Tamilnad Countryside
CHRISTOPHER JOHN BAKER, Delhi, Oxford University Press,
p. 616, Rs. 165.00.

Historians, philosophers and lately economists have found India a highly interesting subject for study, research and reflection. The vastness of India, her complex and varied socio-economic structures, the presence of myriad linguistic, ethnic and religious groups of people and their sub-divisions and each one of them at different levels of development consciousness have posed enormous problems of comprehension as well as documentation. One way to make the task seemingly easier is to undertake portrayal of India through an intensive study of a particular geographical and cultural region. But does it really make the task easier?

Christopher John Baker has tried to project India and her rural people in his book by tracing the history of the countryside in Tamil Nadu from 1880 to 1955 by examining "how labour was utilised on the land, how agrarian trade was organised, how internal and external trade were connected, how the market for capital functioned, what were the links betwen countryside and town, and what was the role played by the State in rural society and economy" (pp. 2-3).

The author proclaims that his book does not qualify a 'micro-study'(p. 3). But in the very nature of questions asked and

materials placed before the readers--dealing with geography, history, culture, politics, religion and economics - have gone to make the book under review a unique study of its kind. That such a study would be at the same time comprehensive as well as inadequate is to state the obvious. The task gets complicated as Baker deals with Tamil Nadu which has a heavy cultural baggage as its history goes back to some 6000 years. This State of the Indian Union represents the nucleus of Dravidian culture in India, which ante-dated the Aryan culture by almost a thousand years. The architects of the Indus Valley civilisation of the 4th millennium BC left undying traits in succeeding generations of their people in every field of economic and cultural activity. Baker makes a detailed enquiry into these human endeavours dividing the Book into 6 chapters, namely, the history of rural Tamil Nadu; colonial trade; agriculture; the markets; towns, and the state and the countryside. His reflections are also contained in a separate piece obviously called the 'conclusion'.

A study of Tamil Nadu has the advantage of the fact that from the middle of the 14th century heralding the emergence of the Vijaya-nagar Empire up to the advent of the British rule, political periodisation and economic periodisation were the same. Baker is deeply conscious of this identifiable personality of South-India and yet he has shown remarkable sensitivity to appreciate: (1) cultural and religous inter-dependence between different states of India at various times, and (2) the impact of the British colonial system on the agrarian relations characterised by a predominantly Hindu social structure and institutions of polity management. A significant sentence from the author expresses this phenomenon as follows: "The result was that in the three to five hundred years which preceded the colonial intrusion, south Indian society developed in a special way. This was not 'the Asiatic mode' with a strong centralised state controlling irrigation works on the one hand, and isolated villages content in the sleep of ages on the other. Yet the relationship of the state and rural society was very different to that which prevailed in Europe and it had very different consequences for the development of agriculture and rural society. The state was power-ful but it was not centralised" (p.11).

The Indo-British relationship was as Prof. Ralph Buultjens, the Toynbee Prize Winner, says 'a multi-layered embrace'. It was as close and multi-faceted in Tamil Nadu as in Bengal or Bombay. The colonist and colonised were both affected in a variety of ways in realms of education and culture, economics and politics. While the development of a powerful and purposive state became all too soon evident, the nature of economic activities in the rural side too

underwent major changes. While the government built ports, roads, towns and railways, the common people too augmented production of rice and shifted to plantation sites which were raised for rubber and coffee production. The expansion of overseas trading from the late nineteenth century gave impetus not only to rice production but also for groundnut or short-staple cotton, all items for export to south-east Asia. Even common people moved to distant lands. After World War I, the process of commercialisation graduated as the author has rightly put it from the 'Cultivator's field' to the 'trader's cart' and later to 'factories' (p.232). Tamil Nadu's accommodation to the expansive world economy was not simple but complex and varied. The author claims that the variations matched closely the regional differences between: (1) the valleys, (2) the plains, and (3) kongunad. To quote: "the plans produced for the markets of Europe in the classic fashion; but kongunad produced increasingly for the home market, while the valleys evolved a little 'sub-colonial' relationship of their own in the eastward trade" (p. 329). As a generalisation, this would go well and obviously only up to a point.

After World War I, the urbanisation process became too obvious to go unnoticed. The urban population began to grow more quickly, and increasingly the growth was concentrated in the major cities. Madras became the headquarters of the southern Presidency and grew fast. But the impact of urbanisation on industrial growth was limited and was mostly confined to processing of natural products with a relatively simple technology. As the author says: "Indeed the towns continued to depend not so much on the dynamo of an emergent industrial capitalism as on the extractive might of the State" (p.527). But the aftermath of the depression and the advent of war as the author rightly concludes "quickly rendered obsolete such tentative steps to cosset the market principle". To prosecute the war, the government demanded a greater degree of efficiency from the economy and this led to increasing intervention by the government in food trade and textile industry in particular and introduction of a system of 'control' and 'licences' which survived even after independence.

Although the government's survey extends up to 1955, the period from 1940s is scarcely covered compared to the richness of the details on earlier years. The author has also made very general statements giving one cause to worry whether he is not unwittingly playing to the gallery. For example, he writes: "Most of the heavy industries located in Tamilnad in the 1950s and 1960s were casual offshoots of north India's industrial complex. Meanwhile Tamilnad's role was to consume the manufactures largely made in the north, and

to export in return supplies of food and labour" (p. 530). On
January 14, 1969, Madras State, in tune with its cultural heritage,
changed its name to Tamil Nadu leaving the capital city to be still
known by its old name Madras. Its economy has developed faster than
those of several other parts of the country, and the operation of
national planning and banking systems and compulsions of trade have
integrated the economy of Tamil Nadu with the rest of the country in
a fashion where one part is definitely not subservient to the other.
It is a relationship of mutuality and of interdependence. Despite
growth of unequal societies, the farmers and industrial labour of
Tamil Nadu bear striking similarity in economic terms with their
counterparts in other parts of the country.

The author has made highly commendable conclusions hinting to-
wards the growth of an unequal society in Tamil Nadu, a fact which
is so true as an outcome of the entire developmental process in the
country. He has very rightly said that the new era of state manage-
ment led to the growth of modern systems overlaid on old practices.
There was no attempt to undermine existing local forms of organisa-
tion and this has contributed to the continuity of old patterns of
rural society. Not-withstanding all these, the author's conclusions
do not match with the high level of reflection in the introduction
of the book. One gets a feeling that he has withheld his analytical
perceptions which he must have drawn from painstaking research of
rural economy of post-independence era. But these are small
problems compared to the achievements of the work. Although the
book has amply proved that portrayal of India through an intensive
research of a cultural and political unit extremely useful in itself
is no full explanation of the Indian Rural Economy, the efforts of
the author have made this book into a satisfying work and one wishes
that similar endeavours are made on other regions of India.

There is no doubt that the book under review would be read for
some years to come by all those who are interested not only in Tamil
Nadu or South India but also those who are in search of a work of
deeper appreciation of interaction between cultural and economic
factors in a rural countryside of India.

--B.P. SINGH

Building National Food Security System
M.S. SWAMINATHAN, New Delhi, Indian Environmental Society, 1983,
p. 132.

Food Security System of India
K.C.S. ACHARYA, New Delhi, Concept, 1980, p. 185.

Both books deal with similar topics - Dr. Swaminathan's with the
concept from a long-term point of view and Dr. Acharya's with the
evolution and evaluation of food security system in India.

Dr. Swaminathan's book is a compilation of lectures delivered by
him in Ghana and Geneva. He discusses the assets and liabilities of
the agricultural balance-sheet and gives priority to the development
of human resources, water and the need for harnessing solar energy.
So long as the condition and the people stripped in poverty do not
improve, eco-destruction is likely to increase. An immediate need
for every poor nation is to develop the basic human needs programme
to provide every rural family the minimum essential requirements of
water, food, fuel, fodder, fertiliser and work. Basic Human Needs
Programme and the Agricultural Development Programme have to be
developed in a mutually supportive basis. Each system will need
separate and integrated attention. He emphasises the need for
looking at the ecological economics which has an added dimension,
viz., a time horizon extending to infinity. Conventional economics
deals with the problems in the span of life time of one generation
or a few generations, but ecological economics has to look at
problems till the end of human race. Quite frequently, this aspect
is ignored while making the cost benefit analysis in making invest-
ment decisions in different sectors of economy. Over a large part
of the globe, cultivation is done by small farmers. A proper
integration of brain and brawn (i.e., technology) and finance (i.e.,
credit and cash inputs) will be needed to assist such farmers in
order to develop the productivity of small farms. He emphasises the
need for area approach and also the need for reasonable prices by
proper marketing infrastructure in the following words: "The poor
farmer bases his decision not on a yield per hectare but on a stable
income per hectare. So profit synchronising technology, character-
isation of stability of income and no risk appears to him more than
just production maximising technology." Suitable measures in the
field of agrarian reform (which India seems to have overlooked now)
are essential before the interests of farmers in increased produc-
tion efforts can be stimulated. In the third phase (80s), India's
increased agricultural production has to come from small farmers.
How are we going to increase their total take home income so that

their interests in farming and allied operations can be sustained. This is the basic challenge of the eighties in India.

The primary cause of under-nutrition in developing countries is the inequality in food distribution which should receive as much attention as accelerating food production. An important requirement in this context is a strategy for generating more opportunities for gainful employment in rural areas. The problem of employment creation and increased food production cannot be divorced from each other. Food-sufficiency and food security have been rightly distinguished by Timmer, Helson and Pearson in **Food Policy Analysis**, thus "mass hunger is related to poverty and so income generation, efficient employment creation is an important component of any strategy designed to improve household security" (p. 143). According to Dr. Swaminathan, the stage has not reached for emergence of the International Food Security System. It is his conviction that only when all countries pay serious attention to build their respective National Food Security System that an International Food Security System will emerge.

It is in this context of describing the setting up Food Security System in India that Dr. Acharya's book acquires usefulness. The famine fighting strategy comprises two aspects, increasing agricultural production on the one hand and supply of food in famine affected pockets. In tracing the evolution of food security system, he states that in the famine of 1873 it was realised that the private trade could not fulfil the function of supplying foodgrains in famine affected pockets at reasonable prices. Then came the Bengal famine of 1942. The scheme of centralised purchase was evolved in September 1942. In July 1943 the Government of India set up a Foodgrains Enquiry Committee which emphasised the need for setting up of a central foodgrains reserve, over and above the reserve stocks which came to be known as 'operational stock'. The distinction between these two types of stocks is very important in analysing the concept of food subsidy. According to him, buffer stocks were kept as an insurance against scarcities, but since the inception of green revolution they have been providing security to the farmers. The buffer stocks are now being built by purchasing them at minimum support price from the farmers and thereby encouraging agricultural development and by supplying these stocks throughout the length and breadth of the country, they correct aberrations in the commodity market over space and time. The Food Corporation of India, set up in 1965, performs these functions. On account of the pre-eminent position occupied by Punjab and Haryana in the production of foodgrains, viz., wheat and rice and their transport over long distances, the gap between the prices paid to the farmer

and the price paid by the consumer has been increasing. Even though irrigated area has increased considerably since 1950-51, the rain-fed area still contributes almost half of the foodgrains produced within the country. The minimum support price mechanism has not been applied to the coarse grains, the poor man's food, on an All-India basis. He suggests that the Government of India should pay the same attention to the procurement of coarse grains as has been given to wheat and rice. The price of wheat and rice to the consumer can be brought down or its upward trend arrested if instead of food self-sufficiency on an all India basis, food self-sufficiency on a regional basis is made the objective of food policy. The shelf life of coarse grains is limited and their disposal can be accelerated if they are supplied in employment generation programmes by the state governments. The state governments have set up several organisations - Civil Supplies Corporations, Essential Commodities Corporations, etc., to make their own procurement and distribution. In order to enable the states to have their proper say in the evolution and implementation of food policy, the Food Corporation of India should convert itself into a holding company while the States Civil Supplies Corporation, etc., should convert themselves into subsidiaries of this company. The present system of too many organisations working in the field has resulted in lack of coordination and increase in expenditure on procurement and distribution. Dr. Acharya has not mentioned the stagnation in the production of pulses. The production of pulses can be given a boost with proper marketing structure which should supplement any technical break-through in their production.

However, Dr. Swaminathan's book has emphasised the need for generating purchasing power in the hands of the poor, Dr. Acharya's book is silent on the working of the employment generation programmes but the omission can be understood in the sense that it is a Ph.D. thesis working on a narrower canvas. In setting up food security system on a stable footing, poverty alleviation programmes of "asset generation type and employment generation" have to be integrated in the rural areas where 50 per cent of people in India are still below the poverty line.

—R.S. KHANNA

Women in Local Government: A Study of Maharashtra
HAZEL D' LIMA

This comprehensive and interesting study has for its focus, the

role of women in rural areas. It derives its value from the fact
that there are not many studies of women occupying leadership posi-
tions in rural areas. It embodies the findings of field research of
a social worker interested in the contribution that women have made
and can make in the task of nation-building. The objectives of the
study based on interviews with 143 women members of the Panchayat
Samitis and Zilla Parishads in four divisions of Maharashtra, were
four: (1) to find out the different social and political groups from
which the women representatives were drawn; (2) to study their
social outlook and extent of their awareness of their special role
as women representatives; (3) to examine the scope and actual degree
of participation of these members in local government bodies and in
the rural community; and (4) to identify the factors that might
facilitate or impede the effective participation of women represen-
tatives in those organisations.

The systematic exposition beginning with the historical back-
ground and methodology goes on in a lucid style to discuss the
various facets of the process, which include the socio-economic
background, the social outlook, awareness and participation of
respondents. The penultimate chapter on the profile of these women
as well as the conclusion ably sums up the findings and makes prac-
tical suggestions for voluntary organisations and government based
institutions.

The author's hardwork and perseverence in meticulous collection of
data is commendable especially in view of the fact that it is not so
easy for a woman researcher to travel in rural areas and establish
rapport with the people—the main prerequisite for obtaining authen-
tic information. The thoroughness is evident in tabulation and
analysis of the data collected. Some pertinent observations pin-
point the issues and are relevant as when the author asks "How can
women who enter the structure of panchayati raj because of their
protected ascriptive status, really contribute towards the develop-
ment of rural society, specially the weaker sections? Does the
milieu in which the majority of these women live, open them to a
broader view of the needs of the rural society?" (p. 195).

As the author herself admits, the study is based on a small
sample. Probably, the research findings could have been strengthened
by a comparative study of women in similar positions in another
state, where the benefits of formal education and social reform
movement came later than in Maharashtra. There is no denying the
fact that every sector of life in our country is engulfed in the
dynamism of social change. Everywhere the rural women are exposed
to the challenges of the situation and respond according to their
socio-economic and socio-cultural background. So, a comparative

study would be more revealing to understand the social configuration in a different setting.

As mentioned earlier, the study is penetrating and analytical and goes beyond dry descriptive statistics, by use of interesting personal touches and meaningful details. I have no doubt that it will prove of immense value to students of social work, social workers, voluntary organisations and institutions which impart training to local government and panchayati raj executives.

—(Smt.) KRISHNA HALDIPUR

The Black Economy of India - Problems and Policies
KAMAL NAYAN KABRA, New Delhi, Chanakya Publications

It has become platitudinous to describe black economy as a cancer eating into the vitals of the Indian society. Over the past three and a half decades, several committees were appointed by the government to enquire into the problems of tax-administration and the black economy. However, writings by social scientists on the important subject have been somewhat scanty. This may be partly due to the fact that any significant research in the field requires a certain degree of access to government records and data, and most of the time there has been some committee or the other going into the question, with requisite access to the records. Social scientists, therefore, seem to have confined themselves to stray articles in journal and debates. Prof. Kabra's book seeks to fill the void. The book is a very significant contribution to the understanding of the complex phenomenon of the black economy.

A complex problem like the black economy does not admit of simplistic explanations. All-pervasive character of the black economy arises out of a whole complex of economic, political, administrative, sociological and cultural factors. These factors lead to a divergence between the acceptable and feasible rate of return and the post-tax permitted rate of return. The author has approached the problems as a political economist and has examined the basics of the issues involved. This book should dispel some widely held notions about black economy. One of these notions is that high rates of taxation are responsible for generating black money. The Direct Taxes Administration Enquiry Committee (Tyagi Committee - 1958) had found this notion to be wrong but the Committee's report failed to give any data for its conclusion. Prof. Kabra has analysed the collections of non-corporate income tax over a period of time, has co-related it to national income statistics

and has shown that the extent of tax-evasion showed no decline in periods of comparatively low tax rates. He also shows that the burden of tax is much lower than what the schedules of rates appended to annual Finance Acts would indicate. The author's significant contribution is in showing, with analysis of data, that it is not the high rates of taxation but the low costs of evasion which are responsible for proliferation of black economy. The author states that the cost of evasion of tax in the form of probabilities of punishment, levy of penalties and, to some extent, a troubled conscience are low.

In the matter of raising the cost of evasion, i.e., in raising the probability of detection, the tax administration has a crucial role to play. Unfortunately, the role which tax administration can and ought to play in this respect has not been dealt with sufficiently in the book. There can, however, be no gainsaying the fact that central to all the issues relating not only to the administration of tax laws but all the welfare legislative measures, is the question of administrative efficiency. The author is, however, aware that the nature of Indian polity implies certain constraints on policy measures. In a society built on rule of law and in a legal system where all implementation of law must conform to certain rules of evidence, there are limits to which tax evasion can be reduced.

The author has suggested a number of measures to tackle the problem. One of the significant suggestions is that the public sector ought to enter the field of production and distribution of mass consumption goods. The author anticipates an objection in this respect that there may be a dearth of purchasing power and argues that prior entry of public sector in production of mass consumption goods with emphasis on labour-intensive techniques and indigenous technology will create market for such goods.

A word about the style and the language. The style is direct and incisive. The book is, however, couched in a highly technical language and is apparently not addressed to the uninformed and the lay.

Prof. Kabra's book is a significant contribution to the understanding of a very complex problem. The book is refreshingly free of moral exhortation. The book displays a perceptive and a searching mind, with full awareness of the basics of the issues involved. The book should be of particular interest to those entrusted with formulation and implementation of economic and fiscal policies.

--V.D. WAKHARKAR

Public Administration and Nation Building in Nepal
MADHAB P. POUDYAL, New Delhi, NBO Publishers: Distributors,
1984, pp. 127., Rs. 50.00.

This book is an outcome of systematic research undertaken to
trace development of Public Administration in Nepal from seventh
century BC to 1981 AD The Kingdom of Nepal came to be really known
to the outside world in 1951. However, it has yet to acquire those
characteristic features which result from prolonged international
relationships. Nepal still has the racial and linguistic hetero-
geneity, problems of distribution of developmental benefits, imal-
administration, and lack of bureaucratic institutionalisation,
besides a systemic instability in its polity. Therefore, literature
on Nepalese Government and politics is very scare and that too
cannot be considered very authentic.

The present book has been divided into two major parts. The
first part deals with some theoretical issues regarding concept of
nation, nationalism, nation-building, state building as well as the
reasons and requirements of public administration to involve itself
in the task of nation-building in a developing country like Nepal.
The second part deals with the historical perspective of the public
administration in Nepal, the process of nation-building and the
administrative barriers thereto.

A brief review of the chapters of the book reveals that in the
first, which is also the introductory chapter, the author has given
a brief but lucid description of developing nation and the problems
of nation-building. The author has rightly pointed out that the
problem of nation-building is shared by both the developed and
developing nations, though the process has been significantly
different. The objectives of the study, the setting of the sample
area and the limitation of the study has been given in the introduc-
tory chapter. The second chapter is devoted to the concept of
nation and nationalism and covers the concept, classification and
approaches to nationalism. The author has given five distinct
approaches to nationalism in the chapters--the nationalistic
approach, communication approach, Marxist approach, psychological
and functional approach, and political approach. The main theme,
which gets reflected through this chapter, ranges from the senti-
ment, loyalty, or sympathy which binds people together in a common
institutional framework, creating unity among them in terms of
relationships with the existing state as separatist, reformist and
unificationist. This also includes the self-conscious, anti-chroni-
cal, reconstructive and indigenous. The third chapter is about the
context and process of nation-building. At the very outset, after

defining the concept of national-building, the author also provides
a theoretical perception of national integration.   The difference
between the state building and the nation-building process has been
brought out very succinctly.   He has succeeded in discussing the
concept of the nation-building, which has many-sided process cover-
ing political, social, psychological, economic, institutional and
administrative aspects.

Public administration which has to be operative in a particular
setting of socio-economic and political ethos and the tasks of
nation-building, is given in the fourth chapter.   In this chapter
the challenges of administration and the nation-building, particu-
larly under some compelling situations, the expected roles, func-
tional requirements and the time orientation of administration
involved in the process of nation-building, etc., have also been
provided.   The fifth chapter is about the development of public
administration in Nepal with a historical perspective, in which
painstaking effort has been made to trace the outlines of Kirata
era, Lichhavi period, medieval administration starting from Guna-
kamadeva, Arimalla, Prithvinarayan Shah, the Shah Administration,
Bhandari and non-Bhandari, Dhakres, Rana administration and the
administration during democratic period and the Panchayati adminis-
tration.   Taking into consideration the characteristics of different
administrative periods, author, in the sixth chapter, finally
describes administrative barriers to nation-building in Nepal.   In
this penultimate chapter, the author has given general characteris-
tic of the bureaucracies and has identified Nepalese bureaucracies
as transitional.   He treats the Nepalese bureaucracies with Reggsian
approach. He has found existence of a formal as well as informal
authority structure in the working of bureaucracy in Nepal simul-
taneously.   Importantly, he has identified administrative culture as
a barrier.   The other barriers identified by the author in nation-
building in Nepal are organisational barriers, procedural barriers,
corrupt environmental barriers, barrier of administrators' percep-
tion, etc.   Useful information and data has been given about the
administrators' perception of the barriers. According to the informa-
tion collected, about 55 per cent of the administrators admit the
existence of influence and factors like nepotism and favouritism.
They concede of the 'Chakari' and 'Chapluse' system and political
pressure in the placement and transfer of personnel.   About 50 per
cent of the respondents admitted the buck-passing tendencies in
Nepalis administration.   They feel that credit for the good perfor-
mance is taken by the higher authorities and the subordinates are
held responsible for the mistakes of the superiors.   A majority of
the respondents felt that the social prestige in administration was

lacking and, therefore, it ought to be bolstered up. They also
believed that there were obstructions and interferences from some
political quarters and they believe that their economic position was
not as good as it ought to be. The most surprising part of it was
that a significant number of administrators are still reluctant to
share power and shed conservatism. They identified that one of the
main causes of bureaucratic corrpution was poor salaries. The
conclusion, has been given in the last. The questionnaire adminis-
tered to the bureaucrats involved in the task of field-level
programme, table showing the characteristic of feudal and bureau-
cratic types of administration. Bibliography and index have also
been appended.

In short, the author has been able to recapitulate and authenti-
cate the story of Nepal and ancient Himalayan Kingdom struggling to
be born into a progressive state through multi-dimensional processes
of development. The book provides a panoramic view of the endeavours
to promote the process of nation-building and Public Administration
in Nepal. In the process, the factors which are responsible to
hinder the process of nation-building, like physical, economic,
political, emotional and social, have been described in a lucid and
succinct form. The author has achieved his purpose in providing
useful information about the true image of a developing nation like
Nepal, committed to peace, co-existence and understanding in the
world at large. The author deserves every appreciation for bringing
out the book, which, I am sure, would be found useful by the
academics, public administrators and all those interested in polity
and politics and prove to be a practical guide to students and
researchers in Political Science in Nepal.

--J.N. UPADHYAY

*Article written in French or Spanish, with an extensive summary in English.

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